A HINT TO THE BRITISH NATION ON THE VIOLATION OF THEIR CONSTITUTIONAL RIGHTS.

"But every British Mind knows that there is a Reciprocity
"of Obligation between a State and its Subjects, and that
"in Return for the Allegiance of the latter, Justice, in
"impartial Scales, is due to the former."

Letter from the Bengal Army to Lord North,
January 31, 1784.

LONDON:

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MDCCLXXXVII.



PATRONAGE is the *Magnet* of a Miniſter. Ever ſince the affairs of the Eaſt-India Company became objects of Miniſterial interference, the ſucceſſive Miniſters have graſped at the abſorption of their power. If we examine the motives of this conduct, we ſhall find them to have proceeded from narrow and ſelfiſh ambition—We ſhall find, that their retainers have been employed to traduce the characters of a People at large, inſtead of reprobating *only the few*, who may have deſerved it. Such has been the ungenerous, ſuch the

unjust treatment of our fellow-subjects, the British inhabitants of Asia!

Let dispassionate persons abstract, from the numberless volumes, with which angry and envious men have loaded the press, a list of the Gentlemen of India, against whom any specific charges have been alledged—They are not aware, how very few they will find. Let these few be compared to the total number of servants employed during the periods, in which the misdemeanors are said to be committed; and then let us look about us at home, and else where, amongst the servants of the Nation, and see, in whose favour the scale of Integrity will preponderate. But if, unhappily, an exceptionable character or two should have been found in a *certain Assembly*, is it therefore to be presumed, that the whole are corrupt and profligate? This would be an absurd, a groundless, and an impertinent inference; yet neither

more

more *absurd*, more *groundless*, nor more *impertinent* than to vilify the generality of other numerous and respectable Societies of Gentlemen, for the *alledged* faults, or even for the ascertained *crimes* of *a few*. And who are these Gentlemen of India?—Are they not our children, our relations, and fellow citizens? Do we not carefully teach them all the precepts of morality, and bestow great expence in procuring them the best education, in order to qualify them for public stations in that country? Are these exertions of friendship, and of parental kindness, compatible with a purpose of consigning them to certain obloquy, on the very precarious chance of their returning to us with fortunes? No; our character is not so debased. We think, and we have reason on the best grounds to think, as favourably of the Gentlemen of India, as of any other description of men.—Even in their most limited circumstances, they share their incomes with

of their relations, as require it. Their BENEVOLENCE and HOSPITALITY is proverbial: and does not Philosophy teach us, that the sentiments, which produce such general effects in society, are totally irreconcileable to the depravity, that has been so falsely ascribed to them by interested men? and unfortunately with such success, that we seem, for a time, to have forgot the dearest ties of affection and interest, by which we are connected with our relations abroad; and to have looked with indifference on every mark of dishonour and mortification imposed upon them! We have suffered our judgement to be too long overwhelmed in the political vortex of a few individuals. One attack, of recent memory, was repulsed, as an attempt to lay violent hands on *Mercantile Charters*;—but what followed? Mr. Pitt took the same Fortress by *Sap*, which Mr. Fox had assailed by *Storm*: and whilst we only regarded the *Dramatis Personæ*, we lost sight of the *Plan*

of

of the Piece——A Charter, more valuable than ten thoufand Mercantile-parchments, THE GREAT CHARTER OF ENGLISH LIBERTY, has been violated. One numerous and refpectable clafs of our fellow fubjects have been disfranchifed of the greateft and moft fubftantial bleffings of Freedom, deprived of the *Trial by Jury*, and doomed to be dragged eighteen or twenty thonfand miles, to be profecuted for offences, moft fairly and moft properly triable only on the fpot, where the evidence of guilt or innocence can be obtained; *and where there is a competent Judicature already eftablifhed.*

But though the nation, for a while, remained infenfible to the blows aimed at the Conftitution, *our children*, againft whom they were moft immediately directed, though far from this land of freedom, yet teeming with the love of liberty and of their country, have reminded us of our duty; and fhall we neglect it? Shall we

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refuſe them that juſtice, which they claim in the language of duty and affection, yet with the freedom of Britons, which proves them to be *indeed our children?* Parental duties, the ties of nature, and even *policy*, forbid it.

Their petitions from India for redreſs are already in the hands of the Public; but the following letter from the Bengal army, intimately connected with the ſame ſubject, not having yet met the public eye, it is a good ſervice to the State to bring it into general view, becauſe it contains *in very intelligible terms*, the ſentiments of one of the moſt reſpectable bodies of gentlemen in the world, on a ſubject which has not yet received the liberal conſideration it ſo eminently deſerves; and becauſe it will enable *men of reflecting minds* to judge what the effect may be, not only of ſlighting and neglecting temperate applications for redreſs, and of treading the feelings of high-minded men under the cold

and

and iron foot of indifference, but of adding the further, various and more "*intolerable grievances,*" in which they have since been implicated with their fellow servants of the civil line.

We are taught to believe that certain causes must inevitably produce certain effects; it is therefore the general duty of the nation, but most peculiarly incumbent on Minist[illegible] to adopt such measures *only* as shall bind th[illegible] [illegible]fections of the subject, and secure, *equally to all*, the invaluable privileges of our free Constitution.

A HINT,

&c.

My Lord,

THE ſuperiority of rank which his late Majeſty, empowered by a clauſe in an act of Parliament paſſed in the year 1753, was pleaſed to confer on the officers of his own army, over thoſe of the Eaſt-India Company, when employed on the ſame ſervice, though long endured in ſilence, has become ſo highly prejudicial to the latter, and been exerciſed in a degree ſo extremely painful and humiliating to them, that, having the feelings of men, and the pride of ſoldiers, they could no longer behold the mortifying, and, we preſume to add, unmerited

diſtinction, without endeavouring, in a becoming manner, to obtain relief.

With this view it has been, unanimouſly, reſolved by the army, that a petition, ſigned by the field Officers and Captains of this eſtabliſhment, ſhould be preſented to His Majeſty, humbly and reſpectfully, ſoliciting that he would be graciouſly pleaſed to remove the grievance under which the Company's Officers have ſo long ſuffered.

In purſuance of this reſolution petitions to the King, and to the Houſe of Commons, were drawn up by the Committee appointed for the purpoſe; and having received the ſignatures of all the field Officers and Captains, excepting thoſe who were on diſtant and foreign ſervice, were tranſmitted to the Court of Directors, together with one to themſelves, wherein they were entreated, as the immediate guardians of the rights of the Company's ſervants, to exert their influence towards the accompliſhment of the purpoſes aimed at, which extend no farther

than

than to obtain an impartial participation of those privileges to which all His Majesty's subjects, in the military line, have in common a right.

Owing to unavoidable movements of the forces, the Officers who composed the first Committee have been separated; but the army being determined to prosecute, steadily, their purpose of carrying their humble remonstrances to the Throne, and to guard, as much as possible, against similar obstruction by future changes in the disposition of the troops, resolved to elect for that purpose a permanent Committee of Officers, whose situations in the service render it necessary for them to reside chiefly at the seat of Government.

And we, who have had the honour of being so elected, enclose to your Lordship a copy of the petition intended for His Majesty, and beg leave to add a few arguments and observations in illustration of it.

It may be remarked, that, when this superiority of rank was conferred on the King's Offi-

cers, the authority of the Company was confined within the narrow limits of their factories, and that the troops in their pay were so few as scarcely to admit the name of an army.

But since that time, through a variety of occurrences, and the efforts of military exertions, they have acquired territorial possessions of such vast extent as to be an object of great national importance; for the preservation and security of which large armies are constantly on foot, and the Officers and men composing them, by continued practice, have arrived at a degree of perfection in discipline, not surpassed by European troops, as has been fully evinced by the conduct of the Company's forces in the wars in the Carnatic, on the coast of Malabar, and beyond the Jumna; wherein, as well as in former wars, their Officers have displayed as much professional knowledge, have been as forward, and bled as freely as those gentlemen who had the honour to bear His Majesty's commissions; nor has the determined courage of their soldiers been less conspicuous. And hence we may be allowed, with

ſubmiſſion, to infer, that however neceſſary the diſtinction of rank may have been judged in the infancy of the Company's authority, the continuance of it, after the cauſe ceaſed, by a regular and formidable military eſtabliſhment of their own, is unphiloſophical, unmerited, and unjuſt.

Having, we preſume, removed every ground of objection, on account of alledged profeſſional inferiority, we ſhall proceed to ſhew your Lordſhip, that in ſome points, and thoſe of importance, the Company's Officers poſſeſs a manifeſt ſuperiority over thoſe of His Majeſty.

By entering into the ſervice at early ages, the conſtitutions of thoſe who ſurvive become aſſimilated to the climate; they acquire, by a conſtant and indiſpenſable intercourſe with the natives, a familiar acquaintance with the languages, manners, and cuſtoms of the men compoſing our own armies, and a knowledge of the politics and connections of the Princes around them.

And

And although ignorant men may disregard these qualifications, or designing men affect to despise them, we are persuaded it cannot escape your Lordship's penetration how essential they are towards inviting and conciliating the natives to the service.

It is evident that, in this country, neither the duties of the parade, nor the field of action, could be conducted by the most able tactitions, without a ready use of the Asiatic languages; nor is it possible to gain and preserve the affections of an army, so variously composed, without indulging, in some degree, the prejudices of their different tribes, which can only be done by Officers, who, through long intercourse and application, have attained a knowledge of their religions and manners.

If these positions be, as we believe they are, incontrovertible, it follows that any regulation which loses sight of, or counteracts them, is undoubtedly impolitic.

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The riſe in the Company's armies, though regular, is far from rapid; the Colonels and Lieutenant Colonels belonging to them have ſerved from eighteen to thirty years; and not an Officer has of late arrived at the rank of Major in leſs than fifteen, nor of a Captain in leſs than twelve years; and we have now, though at the cloſe of a war, Subalterns of thirteen years ſtanding, who would be commanded by His Majeſty's Subalterns, who had not borne commiſſions as many days.

If the length of ſervice of the King's Officers now in India be compared with the above, the difference, in every rank, will be found to be exceſſive. It would be invidious to point out any particular perſons; but we may be allowed to ſay, that ſome of His Majeſty's Officers now enjoying the rank of Colonel, or Lieutenant Colonel, were not in being; and few of them emancipated from ſchool, when many of the gentlemen, whom we have the honour to repreſent, were rendering brilliant and important ſervices

vices to their country, by eſtabliſhing the power of the Britiſh nation in Hindoſtan.

If to this diſparity, in point of ſervice, between Officers of the ſame rank, be added the advantages which His Majeſty's Officers derive from brevet commiſſions, by virtue whereof they obtain an advance of one, or even two degrees of rank, and alſo the great diſproportion in number between the General and Field Officers in the King's and Company's forces, it cannot be denied that the Company's Officers have the greateſt reaſon to conſider themſelves grievouſly oppreſſed and degraded.

It is to repreſent theſe circumſtances, that, in all humility, the Officers of this army have preſumed to approach the Throne, which became neceſſary, becauſe the injuries complained of can only be removed by the Royal authority; and we hope, that our gracious Sovereign will not deem unworthy his conſideration the humble addreſs of ſo numerous and reſpectable a body of his military ſubjects, as compoſe the Company's

pany's armies; but that he will be pleaſed to annihilate that diſtinction, which has operated ſo much to their prejudice and humiliation, and permit them to rank on a footing of equality with his own Officers, when ſerving together in India.

We are ſtrongly flattered in theſe hopes by the late exertions of this equitable rule in favour of the Militia in England, and Provincials in America, who were heretofore under the ſame diſadvantage as the Company's Officers now are; for as it was found expedient to aboliſh the former invidious diſtinction, in juſtice to Gentlemen who only take up arms occaſionally, we hope His Majeſty will not deem it reaſonable, that it ſhould continue to operate againſt thoſe who have followed the profeſſion from their infancy, and who tenaciouſly cheriſh thoſe principles of Military Honour, *which teaching them to feel their own importance, and to believe that they are worthy of being on a level with His Majeſty's moſt deſerving ſubjects,*

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must ever make them impatient under unremitted slight and degradation.

The hardship complained of in the Petition, though in itself of magnitude, is not the extent of the evil, which we are apprehensive may arise from the undue preference given to His Majesty's Officers: for though it was hoped, that the conclusion of the war, in the course of which the Company's Officers have acquired an equal share of applause with the King's, would have put a termination to the poignant sufferings of the Gentlemen, whom we have the honour to represent, by the recall of His Majesty's forces from India, yet there is now too much reason to suppose, that all His Majesty's Officers in this section of the globe will be introduced into the Company's service, with their respective ranks, or that, by their continuance, supercessions, which have hitherto been felt as temporary only, will become permanent *and insupportable to men of pride and dignity of mind.*

If this should happen, several of His Majesty's Officers, now in India, would supercede

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even our Commanders in Chief; many, our Colonels and Lieutenant Colonels, moſt of them, our Majors and Captains, and all of them, our great body of Subalterns: beſides, if the practice of admitting His Majeſty's Officers into the Company's ſervice be commenced, we may naturally expect that it will be perſevered in, and that new Officers will be annually ſent from Europe, who ſtill ſuperſeding thoſe of the Company, would cauſe ſuch exceſſive mortifications, and ſuch a ſtop to promotion, as would undoubtedly tend to deſtroy the attachment and ardour of thoſe officers, who have devoted the moſt valuable ſeaſon of their lives to the ſervice of the Nation, though in the pay of the Company, and on whoſe fidelity and vigour the ſafety of the Britiſh Aſia muſt in a great meaſure depend.

If theſe ſuperceſſions, which, we apprehend, ſhould take place, it is obvious, that the King's Officers would come with ſuch advanced rank into the Company's ſervice, as to poſſeſs them of every military ſtation of importance; and thus

all the advantages, which the Company's Officers may fairly be ſuppoſed to have acquired, from long ſervice in India, would at once be loſt. Not only juſtice, therefore, to above two thouſand Officers, under the Company's Preſidencies, who are all equally intereſted in the iſſue of this buſineſs, and who have ever deſerved well of their King and of their Country, but reaſon and policy forbid this innovation. His Majeſty's Officers can return on leave to Europe in the enjoyment of their Commiſſions and ſubſiſtance, and may come back with additional rank, either acquired by Court influence, or weight of purſe; but the Company's Officers, in a ſtate of exile, cannot quit this country, without relinquiſhing the ſervice, and loſing their pay.* Thus they are not only liable

* Since this Letter was written, the Govenor General and Council, in order to reduce the military diſburſements, by ſaving the Batta, Houſe-rent, Tent-allowance, and other charges neceſſarily connected with the military ſervice in India, publiſhed advertiſements, offering permiſſion to officers to come to Europe, on leave of abſence on their pay,

liable to the mortifications of particular injuries, but subject to the indignity of a general and lasting supercession of every rank, without the possibility of availing themselves of any of the means by which advancements are attainable in His Majesty's service. In a word, they suffer severely by all the evils, without participating in any degree in the advantages of the prevailing practices in His Majesty's Army. And here your Lordship will permit us to observe, and to request that you will be pleased to state, most

pay, to be drawn by their attornies in India, or *half pay*, receivable in England. Many Officers accepted of the first alternative: but no sooner did they arrive in England, than the Court of Directors, in direct violation of the spontaneous agreement of the Administration abroad, which are unquestionably binding in the Company, signified, in form, to the Gentlemen who came home on their pay, receivable in India, that if they would not accept of the *half, instead of the full pay promised* to them, and even enter into bonds to refund what their agents may already have drawn, *they must consider themselves as out of the service*, expecting, no doubt, that this threat of instant dismission will deter Officers from seeking redress. But it behoves their constituents, the Proprietors—and, indeed, it behoves higher powers, to consider how far such conduct is justifiable and wise,

particularly to His Majeſty, that in armies, where the fair practice of progreſſive riſe has been firmly eſtabliſhed, ſupercеſſions of any kind muſt ever be more odious, and more galling and intolerable, than where promotion is daily obtained, without ſervice, through intereſt, or by purchaſe.

We are fully ſenſible, that the requeſts of this army may poſſibly meet with oppoſition from the King's Officers, who are intereſted to defeat the ſucceſs of them; but the reputation, which your Lordſhip bears for a correct and upright adminiſtration of juſtice, gives us reaſon, confidently, to truſt, that your Lordſhip, who are placed in an exalted ſtation, near His Majeſty's perſon, to attend to the complaints of Britiſh ſubjects, however far removed from the Mother Country, and to convey them to the Royal ear, will not ſuffer any predilections to warp you from the duties of your lofty ſituation, nor to bias your mind againſt policy and public juſtice.

For

For as it is the duty of His Majesty's confidential servants to suggest to his Royal mind, their honest opinions, on the complaints of any body of his people; and as we believe that, independent of such a sense of duty, your own love of justice, which gives a lustre to your high rank, will prompt your Lordship to aid the rays of Royal wisdom, you will, no doubt, hold out to his Majesty's view the enterprising spirit, by which the Asiatic dominions have been acquired, and the wonderful policy by which they are preserved. Your Lordship will shew him, that it is by the address of a handful of his gallant subjects, who, in the midst of hostile millions, have been able, by the advantage of the peculiar qualifications already mentioned, to conciliate the natives to his service, and to make them even the instruments of maintaining the conquest over themselves.

In contemplating a little further on this subject, it will naturally occur, that the connection between the British Empire, and its Eastern Dominions, as well as the preservation of the

the latter depend upon the loyalty and affection of the great Body of Officers, who by the vigour and policy of their conduct, have obtained such an ascendency over the Soldiers of Hindstoan.

This loyalty, we confidently hope, will always remain unshaken, and this affection unabated. We trust in God, also, that the hundred thousand regulars, whom his Majesty will see in the returns, carried home by the late Adjutant General of India, will ever be employed in supporting the honour and dignity of his Crown; and if it be remembered, that they recently bayoneted some of the bravest sons of France, at their guns, the merits of the Officers, who have brought them to that point of discipline, *will no longer be neglected.*

But every British mind knows, that there is a reciprocity of obligation between a State and its subjects, and that in return, for the allegiance of the latter, Justice, in impartial scales, is due from the former.

His

His Majeſty has communicated the benign influence of this equitable and fundamental principle to the Hanoverian troops. The Officers of this army regard theſe as their fellow ſubjects; but they have too juſt a reſpect for themſelves to admit, that any claſs of the King's Britiſh, much leſs of his foreign ſubjects, have any pretenſions to pre-eminence over them.

It is repugnant to every maxim of the Britiſh Conſtitution, and the Royal underſtanding is too enlarged, and too replete with wiſdom, to continue a ſyſtem, which ignominiouſly diſcriminates one part of his military ſubjects from the other, without any ſolid benefit to the State; for it is impoſſible, *that any good can reſult from wounding the pride of gentlemen of liberal minds*, who have, on every occaſion, honourably diſtinguiſhed themſelves in the ſervice of their country; whereas, by perſiſting in it, ſuch jealouſies and heart-burnings may be excited between the King's and Company's Officers, as might be very deſtructive of that unity of ſoul, and harmony of action, which are ſo neceſſary to invigorate, and

give ſucceſs to the enterpriſe of combined armies.

If it be objected that the gentlemen for whom we act, are in the pay of the Eaſt-India Company, may it not be anſwered, that they nevertheleſs are the ſervants of the State; that they tread the ſame fields of honour with the Officers who bear His Majeſty's commiſſions, and are as forward in ſupporting the intereſt of the nation, and the glory of the Crown? But this is not all—for are not His Majeſty's Officers, in India, to all intents and purpoſes, in the ſervice of the Company? We have the authority of Parliament for aſſerting that they are; the Company's treaſuries not only yield them ſubſiſtence, but every extra allowance, with which they find it neceſſary to indulge their own Officers in this climate.

Nor is it a ſmall aggravation of the grievances impoſed on this army that their immediate maſters pay for Officers, generally young and unpractiſed in the arts of war, to ſuperſede their own Officers of long ſervice and experience; and although

although we allow the higheſt deference, and all the virtues that can be attributed, to the commiſſions, which theſe gentlemen bear, we believe it to be impoſſible that they ſhould communicate ſuperiority of talents, or ſupply the want of long practice in the profeſſion of arms; and yet we know not any other ground on which theſe gentlemen can claim a title to precedence: indeed we impute their having preſerved it ſo long entirely to a neglect of this army, in not having made complaints earlier to His Majeſty, who, as the common father of his people, ſtudies the happineſs of the whole with equal and unbiaſſed affection.

We wiſh to flatter ourſelves, that the period at which the Company's Officers have choſen, in all humility, to approach the Throne, will be deemed highly ſeaſonable—not amidſt the ſtrife of arms, when His Majeſty's attentions were engaged in nobly defeating the inſidious combinations of his numerous enemies, did the Officers of the Indian armies ſeek to take advantage of the times, to intrude their complaints on their

King, or difturb his ear with their murmurs: but, like true citizens, they folicit the Royal protection at the termination of an arduous war, in which they have fupported the reputation of good foldiers, and have given fignal proofs of obedience, by their cheerful co-operation with His Majefty's Officers, under the moft painful fenfations, that could be produced from deeply-wounded feelings.

Thefe are confiderations which, joined to the evident juftice of their reprefentations, we are humbly confident, will make lafting impreffions on the generofity and benevolence of the Royal breaft; efpecially when fupported by the found reafoning, which we wifh to believe, your Lordfhip, and His Majefty's other confidential fervants, will refpectfully lay before him in favour of this army.

Unequal as we confefs ourfelves to conduct the caufe with ability adequate to the juftice of it, or even to exprefs with fufficient energy our own feelings on the fubject, we truft, enough has been

been ſaid to eſtabliſh on your Lordſhip's mind a complete conviction, that the great body of Officers, on whoſe behalf we have the honour to addreſs you, for the information of His Majeſty, are oppreſſed with grievances, which it will be *both wiſe and juſt to remove*; and we beg leave to rely on your Lordſhip's endeavours ſo to repreſent their ſituation to His enlightened and auguſt Majeſty, as to incline him favourably to their petition, and graciouſly to afford them that relief which, as a ſociety of gentlemen, whoſe lives have been moſt zealouſly devoted to his ſervice, *they feel they deſerve*, and humbly hope to obtain.

We have the honour to be, &c.

Fort William,
January 31, 1784.

AN

A P P E A L

FROM THE

H A S T Y

TO THE

DELIBERATIVE JUDGMENT

OF THE

PEOPLE OF ENGLAND;

CONTAINING

A Statement of the manifold Services rendered by our Fellow-countrymen in India, and the undeniable Claim they possess to the Applause of their Country,—to their good Fellowship and Esteem;

ALSO,

Vindicating the Characters of the MANY from the Imputations thrown on them by the Conduct of a FEW.

TOGETHER WITH

Some important Hints to Ministers, and to the Nation in General; but more *immediately* valuable to the Shipping Interests of this Kingdom; and humbly recommended to the Perusal of the Members of an august Assembly, during the Discussion of the Bengal Petition now before them.

L O N D O N:

Printed for J. DEBRETT, opposite Burlington-House, in Piccadilly.

M DCC LXXXVII.

To THE PUBLIC.

INDIA DELINQUENCY having become ſo much a general topic, and ſo much is it the rage, indiſcriminately to include in the obloquy every ſubject of this kingdom employed in India, that natural juſtice to ſo large and reſpectable a body of my countrymen, who labour under the unprovoked injury of ſo univerſal and unfounded a prejudice, has induced me to offer the following thoughts to the Public, on a ſubject, which, though not perſonally concerned in, I have conſidered with that cool and impartial deliberation, which, the paſſions of prejudiced people, ſoured by the conduct of a guilty FEW, have rendered them incapable of exerciſing for the innocent MANY. My intention is not to ſcreen the guilty, but to reſcue the innocent from

illiberal opprobrium. The juſtice and candour of my countrymen is ſuch, that in this I can have little more to do than to place before them, in a conſpicuous and conciſe point of view, the relative ſituation which our countrymen in India bear to us, and which the hurry of reſentments only can have occaſioned ſo liberal minded a People to loſe ſight of.

TRUTH.

AN

APPEAL,

&c.

IT is not, at any time, either an eaſy or a pleaſant taſk to contend againſt prejudices; but becomes a ſtill more difficult and diſcouraging labour, when thoſe prejudices, however ill-founded originally, have taken root with time, and been ſuffered to grow into conſtructive facts and admitted data, for want of ſimple contradiction. Such is the frailty or degeneracy of human nature, that the mind of man is infinitely more prone to cenſure and condemn, even unarraigned and unheard, than to admit merit where due, or, where merit cannot be denied, to beſtow encomium

comium however deſerved, however conſpicuouſly juſt; and this it's depraved appetite is ever voraciouſly ready to ſeize any object, any pretence, or even rumour, however fictitious or problematical, that can countenance or gratify it's rage, or juſtify it's unprovoked rancour. We cannot but reflect with aſtoniſhment, and our ſenſes muſt revolt at the idea, that, amongſt men of the moſt enlightened underſtanding, whoſe minds have been cultivated and embelliſhed by every liberal adornment within the ſpheres of the firſt ſeminaries of education and learning in the known world, ſuch diſpoſitions, ſo diametrically oppoſite, ſo diſgraceful, ſo libellous to that wonderful work of nature, Man, ſhould exiſt; but, painful as the idea is, the fact is incontrovertible, and the hiſtory of the preſent, as well as paſt time, compriſes but too true and ſtriking a likeneſs of this portrait of deformity.--- If we turn our thoughts and reflections to the Weſtern World, and contemplate at all the ſcene which, for a ſeries of time, there employed the ableſt and wiſeſt counſels of the People of England, and the dreadful iſſue and conſequences of it, we ſhall find, that it *originated in prejudice*,

was

was *conducted in ignorance*, and has *concluded in rivetted obstinacy, anger, and compulsive severance*: ---that we lost thirteen rich and beautiful provinces, and as many millions of good, faithful, brave, and loyal subjects,---and all, because we were most *unnaturally prejudiced* against our fellow-subjects, whose coats we unfeelingly endeavoured to tear from their backs:---because we were ignorant of their strength, mistrustful of their fidelity, disdainful of their judgment; and, scornfully rejecting that quantum of aid which their better reason and superior knowledge taught them it was more to our interest and welfare they should only *voluntarily* proffer under *wise limitations*, we vainly and madly attempted to exact one infinitely more hurtful and prejudicial for us to receive, than difficult, improper, or unjust for them to pay. And the Commutation Act shall testify to the latest posterity, and till time shall be no more, what the loss of America has sorrowfully taught us,---that we were driven wild by prejudice and ignorance, and that it was unjust, unwise, impolitic, and unprofitable, to pay so high a price for the *dried herbs even of China*; or, in other words, to be mulct so large a fine for mis-

taking

taking and deviating ſo groſsly from the duties of good financiers, prudent and diſpaſſionate ſtateſmen, as to raiſe the rate of teas, when our intereſts ſhould have taught, and actually required us, to lower it.---But this was the effect of unnatural prejudice, ſupported by it's inſeparable companions, ignorance and obſtinacy.

Turn our thoughts to the Eaſtern World, and we ſhall find a parallel loſing game there alſo. Here, as with America, we again find two parties, which I may clearly diſtinguiſh by the *oppreſſors* and the *oppreſſed*. On one ſide, we ſee good and loyal ſubjects, faithful ſervants, and unexceptionably good men, who, at an early period of life having torn themſelves from their parents, their kindred, and connexions, are devoting their time, labours, healths, conſtitutions, and lives, in climates proverbial for their inclemency, to the ſervice of the Mother Country.---I ſpeak of the collective body---the community of Engliſh ſubjects ſerving in India, at large.---On the other ſide, prejudiced and ignorant politicians converting themſelves into judges of their conduct, which they take on preſumption; unprotecting maſters, or employers, who ſilently ſuffer their

their ſervants to be cenſured and ſtampt with every frantic and opprobrious epithet, tho' wildly foreign to truth; and obſtinate, unfeeling fellow-ſubjects, whoſe brains are filled with envy, hatred, malice, and all uncharitableneſs; and whoſe brows exhibit avarice, extortion, diſappointment, diſcontent, and ſtrife, and their foul bantling prejudice, which they have nurtured and cheriſhed like a ſerpent in their boſoms; and I boldly warn them as the genuine dictate and belief of my ſoul, that it deſerves and will require their utmoſt prudence to avert it's pernicious and poiſonous influence from proving as calamitous and dreadful in it's effects and conſequences in the Eaſtern, as it has been in the Weſtern dependencies of this deluded kingdom.

In all caſes, it is our duty to hear reaſon, and to enquire and inform ourſelves before we venture to decide; how much more, then, is it incumbent on us to do ſo, before we proceed to condemn: and, in all caſes, there exiſts ſome certain and indiſpenſable criterion, ſome ſtandard, by which the human judgment ought to be regulated and governed. On the ſubject we are to diſcuſs, let us conſider what that ſtandard ought to be. It is

ſuch as, I will venture to aſſert, the moſt virulent prejudices, the moſt partial, rancorous and envenomed mind will not dare openly to deny, however he may ſecretly wiſh to ſuppreſs.

Firſt, we are inſenſibly led to enquire, who the claſs of Britiſh ſubjects in India are, againſt whom we are ſo unnaturally prejudiced, and what their connexion or affinity with us?

Secondly, the nature of their ſervices; whether uſeful to us as a People, and ſerviceable to the State; whether they are dutiful and loyal; whether they ſhare with us the common labours and toils of life, it's duties and ſervices in aid and maintenance of the Parent State, as their ſubmiſſion and allegiance require?

Thirdly, whether they are entitled to our commendation, or our cenſure; our protection, and the juſt and liberal reward of their country for their ſervices; or its reſentive condemnation and puniſhment?

Fourthly, of whom conſiſt the party, what are their merits, or what the ſervices they have rendered their country, who have thus aſſumed or arrogated to themſelves a right of juriſdiction

over

over their fellow-subjects, kindred, and countrymen, serving in India?

This last-mentioned object, it may be adverted, is going beyond the boundary of a line purely defensive, in as much as a comparison of conduct, and principles of action, in favour of the gentlemen of India, here stated to be the party *oppressed*, may possibly tend to throw much blame on the people of England, and especially by proving them but too justly styled the *oppressors*. The defence of the former may so unavoidably involve the latter, that this may, in some measure, become an inevitable consequence; and will, of course, be found highly warrantable; for, if the people of England have assumed to themselves a right of jurisdiction over their fellow-subjects in India, which their relative situation neither can authorize, or which can at all be compatible with their connexion, our countrymen in India certainly are not more unnatural in following only such example; nor can they have less reason and justification for peremptorily insisting on replacing and maintaining themselves in that just degree of equality which God and Nature gave them; and of which, so long as they demean themselves as

good and loyal ſubjects, God and Nature only can have power to deprive them, however erroneouſly or invidiouſly their fellow-ſubjects may attempt it.

It aſſuredly is not my meaning, or at all to my purpoſe, ſtudiouſly to condemn my brethren of England; ſo far otherwiſe, I could wiſh to find them as ſpotleſs in imputation, as they are generous in conduct; and as juſt, as they are brave! My ſole purſuit is to reſcue from the moſt ignorant calumny, (for nothing leſs than ignorance could give birth to ſo groſs a ſpecies of it,) and to defend the abſent few, who, from the moſt laudable and loyal motives, are ſerving their country in India; alſo not to ſuffer the hearts of their fellow-ſubjects to be detached, and their affections alienated, while it is poſſible that a ſimple Appeal to ſelf-evident facts may conduce to awaken them from unnatural deluſion to the exerciſe of that ſenſe and good underſtanding with which Nature has endowed them for the moſt benign purpoſes, and prevent their ſubmitting themſelves to be impoſed on by the ready-made opinions of men of weak judgment and illiberal minds, urged on by ſpleen, envy, or jealouſy---

men

men miſled by every ill-founded and ſhadowleſs prejudice, with factious purpoſes in view, deſigning to blow up a conflagration that may for ever ſow the ſeeds of diſſention, revive the animoſity, and rekindle the fury of contending parties to ſuch an unbridled degree, as may convulſe the kingdom from one end to the other. I repeat, it is neither my meaning or purpoſe to condemn: my only object and wiſh is to defend a very meritorious claſs of *ourſelves* from the undeſerved oppreſſion of the reſt; and, as from the preſent public diſcuſſion of this ſubject, and a late popular deciſion in a certain aſſembly, which fully involves and carries with it an exculpation of the foul imputations generally and indiſcriminately thrown on the community of Britiſh ſubjects in India, we clearly perceive liberality of thinking and acting on it, to be gradually diffuſing itſelf over the opinions of mankind, ſtrong inducements, and ſome encouragement, influence me to treat freely of their actual relative ſituation, firmly perſuaded, that if ſentiments, founded on the cleareſt reaſoning, and the moſt unqueſtionable facts, that ſhall meet the underſtanding of every man capable of reflection, ſhall fail of influencing

fluencing a conversion, and shaking ill-founded prejudice from the minds of my countrymen generally, they will, at least, obtain many advocates amongst men of liberal sentiments and enlightened minds, who, I am perfectly confident, only require misinformation to be removed from their breasts, in order to correct and revoke opinions founded thereon; and who, it cannot one moment be doubted, will feel themselves scandalized in being thought to suffer passion or prejudice to influence their judgment one moment after the appearance of fact and truth. The judgment of a tribunal so justly disposed, it must be the pride of every honest man to obtain; possessing and regarding which as an inestimable treasure, he assumes a second dignity, and scornfully and contemptuously despises any scattered seeds of envy and jealousy remaining elsewhere, as the feeble resort of weak men and weaker minds, incapable of further mischief. Supported by the voice of the serious few, he no longer regards the clamour and noise of the thoughtless many.

Having thus candidly declared my object, and the motives which have induced me to come under the discussion and criticism of the public

eye, where writers in general, however converſant with the world, however qualified to meet it, and whatever their merits, experience but little juſtice and leſs mercy, I do not think it improper to ſubjoin, with a view of obtaining a clearer title to an impartial and patient hearing, that I have not any other :---that I have not any party purpoſe to anſwer :---that I have not the moſt diſtant connexion with Miniſters, and that formidable phalanx ſuppoſed to be latently engaged in the protection of Eaſtern delinquents; and, moſt probably, never ſhall :---that if I wiſh one man to be Miniſter before another, my preference, inſignificant as it may be, is founded on and regulated by that ſimpleſt of all rules, "that I think him "the beſt qualified to render ſervice to his country" :---that, connected with very few of the gentlemen from India---with none who have ever had the power to do miſchief, or to bring the Engliſh name into diſrepute, it is a matter of indifference to me, what the public opinion of them in general may be, otherwiſe than as I revere the cauſe of truth, in which I am not aſhamed to be an advocate, however obnoxious the man ſuffering under it's ſuppreſſion.

To

To revert, then, to what ought to be the firſt object of our enquiry---Who the claſs of Britiſh ſubjects in India are, againſt whom we are ſo unnaturally prejudiced, and what their affinity or connexion with us?---

If it be poſſible, that an axiom of notoriety ever came within the compaſs of the human underſtanding,---within the orthodox admiſſion of the whole world, this is one of ſo long an eſtabliſhment as almoſt to forbid the enquiry which I here propoſe to make as an uſeleſs, unneceſſary, and idle trouble: it moſt certainly ought to fall under that conſtruction; but ſtill, experience has ſhewn on every ſubject of diſcuſſion, generally, and on this in particular, that the human underſtanding is naturally given to roam and to traverſe wide and even beyond the limits of the point under conſideration, abſolutely overlooking the vicinity within ocular demonſtration, affording that ſureſt and moſt indubitable evidence, which ought to have the firſt, the earlieſt, and moſt effectual operation and influence upon our judgments. It has ſo manifeſtly been the caſe in the inſtance before us, that I hold it indiſpenſably neceſſary to recur to it, and endeavour to entice back my readers to the object

which

which they have unpremeditatedly paſſed, and which it appears, has, conſequently, wholly eſcaped their attention, or their recollection. They will forgive me, then, if, in the firſt moment of time, I remind them---of what requires no argument to prove---that the Britiſh ſubjects, ſerving their country in India, againſt whom they ſuffer ſuch an unceaſing torrent of invective, opprobrium, and virulent condemnation, to run wildly looſe and madly frantic, *do not ſtand in a leſs near degree of conſanguinity* than their own children, whom they really are!---Gracious God! *our own children!*---Yes, your own children, whom you have nouriſhed, fed, and reared with every parental anxiety, but whom, not unlike the unnatural object of Solomon's judgment, you have almoſt given up to ſeverance, without once deigning to open your ears for information concerning the cauſe, or reaſoning on which ſuch unnatural virulence was founded --- for what miſconduct, or what crime, they have been thus diſgracefully condemned! Nature and time teach us affection and attachment; and inſtinct mutually binds our yet inarticulate offspring to us, and us to our offſpring. In what language, then, ſhall we de-

ſcribe---in what colours ſhall we even reflect, or ſuffer our imaginations lightly to touch, without horror, on the baſe deſertion of thoſe duties which we receive, as it were, by inſpiration! Baſe deſertion! I call it; and hold it an infinitely more unpardonable tranſgreſſion, in the ſight of that awful Judge," to whom all hearts ſhall be opened, and from whom no ſecrets ſhall be hid," than any ſpecies of criminality to be found delineated even in the black catalogues of the crimes of a Jonathan Wild, a Major Semple, Catharine Rudd, or Warren Haſtings!

Not to dwell longer on a poſition ſo undeniable, I ſhall only add, that I appeal for the truth of it to every individual who ſhall either read or hear it, and will implicitly abide by the deciſion of his own breaſt; for it is next to a moral certainty, that it is ſcarce poſſible for any ſubject of this kingdom to ſit in judgment amongſt the people, and not find, that he has either a ſon, a brother, a relation, or connexion, in the ſervice of his country in the Eaſt. Even Mr. Haſtings (who, from the documents before me, notwithſtanding his long ſtudied endeavours to inculcate a very different belief, as a convenient cover for

his

his own private purpoſes, appears to have been no leſs the oppreſſor of my countrymen ſerving under him, than the natives of India ſubject to his power) has deſcribed, in his public advices, "many of them to be the ſons of the firſt families "in the kingdom of Great Britain." Mr. Haſtings is by no means the greateſt of all bigots to Truth; but in this ſelf-evident inſtance, where no veil was to be found, he has certainly ſacrificed at her ſhrine.

Having thus endeavoured to reſtore you to the loſt ſight of your children,---your deareſt connexions,---I ſhall proceed to the ſecond object of our enquiry, by no means leſs intereſting, or inferior in it's conſequences as affecting your paſſions, or leſs important as it ſhall concern your pride, viz. "The nature of the ſervices of theſe your children in India,---whether uſeful to us as a people, or ſerviceable to the State; whether they are dutiful and loyal; and whether they ſhare in common with us the labours and toils of life, it's duties and ſervices, in aid and maintenance of the Parent State, as their ſubmiſſion and allegiance require?"

To minds liberally diſpoſed, and inclined to

reflection, I should only trespass, by entering largely into the wide expánse which the above positions comprize; it would, virtually, be to detail an history of the British governments in India for a period of time little short of two complete centuries; a work that would as far exceed my intentions, or what is at all necessary to my present purpose, as I am confident it would your expectations: neither have I the presumption to conceive myself qualified, by the occasional distribution of any allurements within the scope of my pen, and the humble scale of its description, to induce you to assume such an intolerable fund of patience, as would be absolutely necessary to accompany me through it. Besides, while you can turn to the superior, and, by this time, familiar productions of Verelst and Orme, you cannot possibly desire me to call to your memories more than their great leading features, if so much. I do not hesitate to conclude, you gladly join issue with me in this large retrenchment.

Our territorial acquisitions in India have long been the admiration and the envy of the whole European world; and, since the severance of America, our quondam friends there have thrown a lasci-

a lascivious eye on them likewise. The peace was barely concluded, before the Thirteen Stripes were flying in the river Ganges, and a contest begun with the Custom-Master at Calcutta, which was obliged to be *amicably settled*, by the Americans lowering their standard, and hoisting (of all others !) the flag of France! It seems to be a question, on which time is wasted by the sages of the present day, philosophers, politicians, constitutionalists, and others *equally well informed*, whether the possession of our Oriental dependencies be more a burthen or a benefit to this nation? I find it has likewise crept into the speeches of some of the national senators, who have even advanced a step further, and wished the nation a perfect riddance of them. It is the loose language of state quacks, issued at random, which deserves no attention ;---the doctrine of men, infinitely more useful friends to our enemies than to us, who have no other means of obtruding themselves into the knowledge of the Public. If our Eastern settlements be the admiration and envy of nearly the whole known World, which is a fact that will not be controverted, why ought they to be less valuable

to us ? Surely, if we did not before know the treasures we possessed, the covetous thirst of our enemies after them should of itself awaken our senses to their importance. Possibly, they might be of less comparative estimation whilst we held good fellowship with America; but, alas! the situation of things is so widely changed since then, that we must now endeavour to retrieve in the East the dreadful losses we have sustained in the West. An annual contribution of a million and an half, and that greatly improveable, is no despicable aid to a nation like England groaning under taxation, and burthened with a heavy debt, the annual interest of which more than exhausts the whole of the national income; and, for this aid, (or whatever the obstinate caviller will allow it to be,) to whom are you indebted?---Not to the King's Ministers---Not to the East India Company, and their big-swelling-pompous Directors, for "*they toil not, neither do they spin*";---but, to *your absent children*,---your own offspring, who are serving in the East. It is to their merits ---to their industry---to their activity---to their good sense and prudence---to their discreet management---to their labours and toils,-and to the

heat

ſweat of their brows alone, that you are indebted for the poſſeſſion of one of the moſt extenſive, the moſt populous, and, probably, the richeſt and fineſt countries in the world, and for every return of property, acquiſition and wealth, of whatever denomination, that you derive from the Eaſt. ---It is to their active zeal you owe the preſent exalted ſtate of the Eaſt India Company, whoſe precedence in the commercial world is ſo much the object of your boaſt:---it was their wiſe and enterprizing conduct which raiſed them from a confined trading company, without territory beyond the walls of a few ſmall factories, barely on a footing with the preſent humble ſtate of thoſe of the French, Danes, Portugueſe, or Dutch, to their now exalted condition of mercantile preeminence and territorial dominion, with a princely income of five millions ſterling, a revenue which few potentates in Europe can boaſt. It was their good and ſpirited conduct which reſcued this *little body* from the humiliating condition of being obliged to reſort to and depend on the too often perfidious aid of our natural European enemies, their neighbours, for a combined protection againſt the oppreſſions of tyrant Muſſulmen, and of enabling them

them to preſcribe laws inſtead of receiving them, in one inſtance, and to grant that protection, in the other, for which themſelves were before the ſolicitors. It was theſe our brave and faithful brethren, in all comparatively but an handful, who overcame myriads before deemed invincible, and obtained thoſe laſting monuments of your glory in Aſia for their country's benefit:---and, it was they who ſubſequently raiſed, diſciplined, and attached armies to your ſervice, whom they have repeatedly led to battle and to conqueſt, thereby giving ſtability and permanence to ſuch vaſt acquiſitions:---In ſhort, it is to them you are indebted for the poſſeſſion of *a ſecond world !!!*---It is the literal exchange---the price which you receive for their blood ſhed in their country's cauſe, and their bones laid low in Eaſtern ſoil, of which the extenſive European burial places at every ſettlement in Aſia will bear laſting teſtimony*.---Yet theſe are the children whom

* To give my readers a competent idea of the ſtate of mortality amongſt Europeans in that country, where the individuals do not happily poſſeſs the expenſive means of counteracting the pernicious effects of it's climate, I need only

whom you ſo haſtily incline to abandon---to whom you envy the ſmall participation of that immenſe wealth which their ſacrifices have procured you, confining your obſervation with an evil eye, to the *fortunate very few* who live to return and ſhare with you their well-earned property in their native country!---Small as, God knows, this their portion of wealth is, when put in competition with the numbers of thoſe who drop in the purſuit, and, amongſt whom, were the whole to be divided, it would barely afford each half a loaf! Shall we, then, thus unthinkingly ſuffer the imputation of envy to ſmother our admired character for generoſity of ſentiment, and benevolence of heart, and withhold the effuſions of gratitude where ſo deſervedly due?---Shall we, becauſe not immediately under our eye, overlook the abundant merits of this diviſion of our fellow-ſubjects, who, ſent from their native country at an age of infancy, become reſponſible to

only inſtance the ſtate of the Britiſh ſoldiery, the eſtabliſhed number of whom ought to be *three thouſand*; to ſupport which the Company ſend an annual ſupply of *from eighty to one hundred recruits by every ſhip*, and yet are not able to effect it.—See Bengal Military Returns, ſeldom exceeding two thouſand.

a hard-judging world for their conduct, not only as men but as ſtateſmen, at a period, when at home they are not emancipated from the ſchool-maſter's diſcipline ?---Shall we alſo overlook their merit at ſuch an age of childhood in braving the rude ocean, and reſiſting the impetuous force of corrupt example during a ſix month's voyage, where blaſphemy unceaſingly circulates in all it's moſt horrid colours ?---Shall we likewiſe forget the fiery ſhocks which their yet tender and unformed conſtitutions experience in hoſtile climes to the influence of which the ſtrongeſt frames muſt bend ?---Shall we loſe ſight of the dangers to which their young minds become expoſed on their arrival by a communication with the moſt vicious and luxurious ſect of people inhabiting the world, who court them with every artful adulation, as ſo many riſing ſuns through the influence of whoſe rays they hope hereafter to benefit, and who endeavour to become panders to their paſſions and their will, as a certain means of enſlaving them to their future purpoſes ?---

Can we, I ſay, forget that with all theſe diſadvantages of youth, inexperience, and temptation,

they

they prove themſelves honourable members of ſociety, fulfilling every character thereof, both public and private, with virtue and integrity?

Can we avow ourſelves ſo uninformed, as to deny to them theſe merits as a body, becauſe a guilty few have, by their tyranny and oppreſſion, excited our juſt indignation? Can we really force on ourſelves a belief, that there were none to be found amongſt them, whoſe hearts were ſanctuaries too holy for gueſts ſo vile? Where is there an equal body of men, with equal truſts, and equal diſadvantages, amongſt whom ſo few exceptionable characters are diſcoverable?---Muſt we, becauſe vice holds itſelf conſpicuous in ſome daring characters, ſuffer it's dark rays to overſhadow the brilliant virtues of the many; and thus allow integrity and abilities to be paſſively enveloped in the ſteam of unrighteouſneſs?

No, ſurely: our reſentments at an end, we ſhall ſenſibly feel the injuſtice of ſuch general concluſions againſt our fellow-ſubjects in India; we ſhall draw the juſt line between merit and miſconduct---between the innocent and the guilty; and while we denounce juſt puniſhment on conviction of the latter, we ſhall not fail to diſtri-

bute ample reward to the former. But these merits cannot so forcibly be exemplified, as by a short survey of the nature of their services: to effect which, I shall endeavour to paint their several and arduous avocations, in colours as just as the informations and documents I have so indefatigably aimed at collecting, will permit.

The British subjects, employed in India, are divisible into four descriptions; but, I shall particularize Bengal, the seat of the Government General; as it is from the valuable manuscripts of a gentleman from thence I have derived very much assistance.

The first of these descriptions consists of the Officers of the Civil Government, and Officers having commissions on the Military Establishment, all, or the majority of whom, are gentlemen, and the sons of gentlemen, holding equality amongst the first ranks of men, who will neither yield right of priority as subjects, or for a moment acknowledge inferiority in loyalty and fidelity to their King and country. Their friends made an interest for their election into the service of the Company, as a provision for life, in what they were taught to believe and consider a pursuit

ſuit of honour and profit; and they have been regularly admitted and enrolled, under ample qualifications and credentials, and obtained fixed rank and acquired rights on the public eſtabliſhments. The number of civil ſervants is about two hundred and fifty, and the number of military officers about fifteen hundred: the duties of the former, much the ſame as the duties of office in England, from the Firſt Miniſter of State in the Cabinet, to the youngeſt clerk at his deſk, in every department of the Britiſh Government, and by no means leſs important; with a variety of ſtations, offices, and ſervices, foreign and domeſtic, of much labour, difficulty, and intricacy, unknown to the Civil Liſt of England, all requiring ſtudy, judgment, management, indefatigable application, and, what is more than all, the difficult acquiſition of Oriental languages, and full inſight into the characters, religions, and prejudices of the natives. My readers have an ample mode of detecting me, if herein I err, by a reference to the annual Report of the Eaſt-India Company to the Honourable Houſe of Commons, ſtating the different offices and employments of their ſervants. But they

will

will readily admit, that the various duties of populous and extenſive kingdoms like Bengal and Bahar, with all their branching foreign intereſts and connexions, which, involving all Hindoſtan and its vicinities, nearly communicate with the Continent of Europe itſelf, are not to be conducted with the eaſe and inactivity of a ſpinning-wheel, nor to be kept in regular routine by the approving nod of a powerful Miniſter, or the loud thunder of an able Oppoſitioniſt. As to military duties, you can aſk no explanation. Let readers, who can judge of the general hardſhips of this ſervice of honour, reflect but a moment on the additional toils of a brother ſoldier, labouring under the ſeverities of a climate, where the thermometer in the ſun is ſeldom leſs than 100, and, in ſituations where their duty calls them, many degrees higher; where a familiar acquaintance with the languages, manners, and religions of the men compoſing our armies, and where a ſtudy to invite and conciliate the natives bigotted to their own rules and prepoſſeſſions, and, ſubſequently, to gain and preſerve the attachment of armies ſo compoſed, become a neceſſary part of the ſcience. And, with reſpect to the general conduct of the army of

of Bengal, I am warranted to aſſert, that it has ever done them honour; that they have exerciſed their profeſſion with bravery, humanity, and moderation; and the inſtance of the Rohilla conqueſt in 1774, exhibits the moſt noble inſtance which hiſtory affords us of reſiſtance to the moſt alluring temptations in the hour of plunder, when they remained peaceable ſpectators of oppoſite conduct in the troops of our ally. The ſecond deſcription of Britiſh ſubjects comprizes the venerable Bench of Judicature, with all it's tribe of officers, dependents, and followers, to the number of about one hundred, conſiſting of Judges, Barriſters, and a multitude of low, pettyfogging, ignorant Attornies, who having *exchanged* "*brewers aprons*" for "*Jacob's Law Dictionary*," and "*Druggiſts weights and ſcales*" for "*Every Man his own Lawyer*," have been admitted to practiſe, *ſecundum artem*, as quack doctors retail their noſtrums, "no cure, no pay." This whole corps, with a few exceptions of amiable and good men, are virtually a flight of locuſts, "ſeeking whom to devour," and will prove an everlaſting ſtain on the wiſdom of the Legiſlature, whoſe act is their licence, ſo long as one ſtone of this inſtitution

ſtitution ſhall remain on another. And, what is their object?——Preciſely, "to *ſow diſſention* "*amongſt their fellow-citizens, and to get money!*" Lawyers are certainly the laſt claſs of profeſſional beings who ſhould be admitted into a country where the form of Government is yet immature. They profeſs miſchief;---they make miſchief, and they unmake miſchief; they have miſchief in their mouths, and they have miſchief at their fingers ends!---And yet, they are called the "Independent Corps!" Their late leader in Calcutta certainly placed little apparent value on his claim to that diſtinction, as he literally "part-"ed with his birth-right for a meſs of pottage;" but the Lawyers, not chuſing to ape their bright luminary in this his new orb, ſtill maintained their's, and when, during the late war, the Britiſh ſubjects in Bengal were required to form themſelves into a militia, the Lawyers pleaded their independence of the Company's government, and the aſſiſtance of a ſearch warrant muſt have been required to have found any one of them on the parade on field days. This certainly was one ſpecies of independence, and is a tolerable good ſpecimen of the acuteneſs of their talents for perverſion.---

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Their continuance abroad is not only very unnecessary, but very pernicious, as the execution of Nuncomar, on an *ex post facto* law, and the heavy losses the Company have sustained by their officious interference, have evinced. And, having thus described the second class of our countrymen in India, as I shall have no occasion to revert to them, or their pursuits, I shall dismiss them with a most serious recommendation to the nation at large, to insist on their evacuating Bengal without delay---in some such mode as Mr. Hastings recalled the representative of the British nation from the Court of Lucknow *.

The third class consists of a few Clergymen, upwards of an hundred Surgeons and Apothecaries in the civil and military employ of the

" Mr. Richard Johnson.

" Sir,

" You are hereby peremptorily ordered and commanded, " within forty-eight hours of the receipt of this letter, to " quit Lucknow, and repair without delay to the Presidency " of Fort William.-- We have further to acquaint you, that " the Commanding Officer at Cawnpore [a military station] " has been directed to enforce these orders, in case of dis- " obedience on your part."—See India Papers, vol. ii, p. 25.

 Company,

Company, the exercife of whofe functions there are the fame as in every other part of the world; and about as many free merchants, a refpectable body of gentlemen, who, although not covenanted fervants of the Company, have their fanction to refide, and engage themfelves in private commerce, and many of whom have rendered very effential fervices to the nation; but particularly a gentleman, who lately gave evidence in an honourable Affembly on the fubject of opium, and whofe fervices are on their records. See India Papers, Vol. VI. p. 22.

The fourth and laft clafs includes a moft ufeful body of pilots, feamen, handicrafts, and mechanicks, whom fervice, neceffity, or chance, have introduced, and who are there by fufferance, and, probably, without any exprefs licence from the Company; and a corps of well-difciplined troops, to the number of about two thoufand, whofe duty, as in other armies, fimply confifts in obedience.

Let us now proceed to examine, how the duties of the government are fulfilled.

The whole world bear teftimony of the great and enviable advantages accruing from our poffef-

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ſions in India,---advantages not derived from chance or magical influence, which muſt follow, if our brethren in India poſſeſs no merit, but entirely from the prudent management and able conduct of theſe our brethren, to which only we are beholden for every importation of wealth or property from thence.---In this kingdom we juſtly hold up as a prodigy a ſingle inſtance of youth, becauſe, with the advantages of a finiſhed education, and the aſſiſtance of wiſe and experienced counſellors, deemed capable of guiding the helm of a ſtate; and great, it muſt be acknowledged, is his merit.---But, ſhall we at the ſame time deny what is due to our ſtill younger brethren in the Eaſt, whoſe abilities in the ſame various branches are equally called into action, executed with equal judgment, integrity, and ſucceſs, although removed from their ſtudies at a period of life, when the moſt brilliant part of their education would only have commenced, and whoſe further improvement can alone be the effect of their own ſole merit.---Let us not ſuppoſe the government of India to be a mere ſyſtem of trade and plantation. The civil government is divided into three diſtinct branches,

comprising the political, the revenue, and the commercial departments; into each of which the civil servants of the Company are stationed as their talents and capacities render eligible, and they gradually rise in their respective lines,--- with few exceptions, circumstances sometimes occurring to occasion a removal from the one branch to the other: and this should account in England to such as appear surprized at finding gentlemen return from India not equally conversant in each of these distinct and extensive departments; add to which the orders of the Company prohibiting* their servants from a free access to the

* *Extract of a General Letter from the Honourable the Court of Directors, to the Honourable the Governor General and Council, dated 21st Sept. 1785.*

Paragraph 50. We have long regretted an abuse which is now become so prevalent, and has gone to such an extent, that we must be peremptory in taking the most effectual measures to put an end to it. We allude to the practice of our servants having access to and transmitting home to their private correspondents, such part of our Records as they think proper. Our orders, therefore, are, that no person but the Members of the different Boards shall have access to their Records, except the Secretaries of such Boards, and those entrusted by them; and that no private copies shall be given thereof, except to the President of each Board, if he shall

the records of any other department than that to which they immediately belong, although they

ſhall deſire it. To theſe perſons ſo entruſted we ſhall look for reſponſibility; and if copies of any of our papers, correſpondence, or Records, ſhall be diſcovered in the poſſeſſion of any perſons not warranted by the Government either at home or abroad, we ſhall certainly take the moſt effectual meaſures in our power to diſcover by whoſe means the communication has been made, and will diſmiſs from our ſervice any perſon who ſhall be found guilty of diſobeying theſe our orders,

51. Another practice of a ſimilar nature likewiſe calls for our animadverſion. Many of our ſervants poſſeſſing our moſt confidential ſituations are accuſtomed to indulge themſelves, without reſerve, in correſponding, by their private letters, upon the public affairs of the Company. This is attended with many inconveniencies, is directly contrary to our repeated orders, and we deſire you will take the moſt effectual means to prevent it; and if any of our ſervants preſume to continue in a practice ſo contrary to our wiſhes and orders, we ſhall certainly mark our diſapprobation by the ſevereſt tokens of our diſpleaſure.

52. It is incumbent upon us further to inform you, that a practice has ſometimes prevailed of late, of our ſervants abroad ſending home public letters to the care of perſons reſident in this country, to be delivered by them or not, as in their diſcretion they ſhall think proper: we prohibit any ſuch practice in future; and direct that all letters to us from our ſervants abroad, be addreſſed directly to the Court of Directors, and ſent by the uſual conveyance; no other will be received by us.

profeſſedly

professedly expect their servants to be qualified for all departments.---In the political line the number can be but few; yet among these we find finished ambassadors, prudent negociators, and able statesmen.---The revenue branch is more diffuse, and it's duties more complicated and arduous, yet executed with that superior degree of judgment, punctuality, and ability, which only requires to be known to excite both our admiration and astonishment.---The business of this department is intricate, laborious, and manifold, inasmuch as it comprizes all the various duties of a minister;---of civil and criminal magistracy;---of investigator of the resources of provinces;---of assessor and receiver of revenue;---of comptroller of taxes, duties, and customs;---and of treasurer, &c. &c. with all the most difficult management of finance; add to which a competent knowledge of the languages, manners, superstitions, customs, and corrupt practices of the various sects of people residing within their extensive jurisdictions, whose undermining intrigues, incessantly at work, require the most active and vigilant ability, and which it is not possible too warily to counteract.---Here we find

youths

youths governing populous and extenſive provinces, many of them nearly as large as Great Britain itſelf---youths preſiding in crowded courts of juſtice, hearing cauſes and appeals from thouſands in their reſpective languages, and deciding with juſtice, integrity, and univerſal ſatisfaction.--- How few of theſe provincial deciſions have ever been arraigned of error or injury, and how ſtill fewer it has ever been found proper to reverſe, even Sir Elijah Impey, who preſided over the Court of Appeals at the Preſidency of Fort William, and whoſe bitter prejudices againſt the ſervants of the Company are on record, cannot ſcruple to bear teſtimony.

Nor is the commercial department, though ſtanding in order the laſt, of the leaſt importance to this country, as it is to the judgment and good conduct exerciſed in this line, that this kingdom, and, virtually, every part of the globe where the products of the Eaſt are in eſtimation, are indebted for the great improvement of their manufactures, and for thoſe well-choſen inveſtments ſent home by the ſervants of the Company, which annually allure the whole European world to our ports and markets. The magnitude and importance of

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these advantages will not be diſputed; but, great as they are, I find by enquiry, that, had the recommendations of the ſervants abroad been duly attended to and ſupported by Directors and Miniſters at home, thoſe advantages would have been greatly multiplied.---For the want of a grateful communication of property between that country and this kingdom, individuals have been helpleſsly driven into the arms of other nations for the remittance of their fortunes, and thereby have enabled foreigners to carry on a trade, in a country, the commerce of which we profeſs to claim the excluſive* privilege of, nearly co-extenſive with our own, almoſt wholly on credit:---whereas, had the Company opened their treaſury, as they *ought to have done*, for remittances at a liberal rate of exchange, even *decently* within the terms of foreign bills †, and *augmented their inveſtments* accordingly,

* This "excluſive privilege", *to our diſgrace be it ſpoken*, affects only the ſubjects of Great Britain and Ireland, thoſe of all other nations having a free intercourſe with all the Eaſtern ſettlements, whether thoſe of England, or otherwiſe.

† Foreign bonds on reſpondentia under a ſpecific mortgage of the ſhip and cargo, at an exchange of 2s. 3d. the current rupee, and ten per cent. premium, while you may enſure for ſix, payable in London nine months after the arrival

cordingly, they would have *multiplied the national advantages*:---they would have *multiplied their own.* Such meaſures would *have encreaſed the cuſtoms*;---would have *encreaſed the national ſtrength* by *encreaſing their ſhipping*, which, fitted out armé en flute, might have been converted into ſhips of war as occaſion ſhould require:---would have eſtabliſhed a certain and infallible nurſery for ſeamen, that moſt important object to England,

rival of the ſhip at her deſtined port.—For the terms offered by the Engliſh Company, read their own words,—when they laſt authorized bills to be drawn—viz. in Sept. 1785.—

" All theſe bills, both for the bonded and the other debts, are to be drawn at an exchange of one ſhilling and eight pence the Bengal current rupee, and at a proportionable rate of exchange for the pagoda and Bombay rupee, to be ſettled by our Governor General and Council. They are to be made payable 548 days after date, with an option to the Company to poſtpone the full payment thereof, on paying intereſt upon them half yearly, at the rate of 5 per cent. per annum, from the date of their becoming due, and alſo on paying inſtalments of not leſs than 10 per cent. on the principal in every year, after the 1ſt March 1790, unleſs it ſhall ſuit our convenience to diſcharge them by earlier or larger payments; and for the purpose of rendering thoſe bills more convenient to the holders, they are to be iſſued to each creditor in bills of five hundred pounds each, and one bill for the fractional part, if any ſuch ſhall be owing to him."

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now so much wanted ;---would have given employment to large bodies of people; prevented competition with the foreign world, and, by reducing them to the necessity of importing bullion for the support of their remaining trade, as formerly, they would have aided our settlements by the introduction of specie, instead of the disadvantages of it's drain, from the effects of which they have for some time past been drooping.--- This is a subject of so much serious moment to this nation, that it is entitled to claim the particular attention of it's Ministers, and the whole shipping interests; nor can I omit this opportunity of *testifying to the People of England at large*, that if, from the assumption of the Bengal Government by Lord Clive in 1767 to the present time, 1787, there be any one point of duty in which their brethren serving abroad have been more uniform than another, it has been the recommendation of this subject to the consideration and adoption of their employers.

From the foregoing short premises, I trust, the generous reader will readily feel and acknowledge with me, that the services of these our absent brethren are highly meritorious and

"useful

" useful to the State; that they are dutiful and
" loyal, and *more* than share in common with us
" the labours and toils of life, it's duties and
" callings, in aid and maintenance of the Parent
" State :"---and, from hence will also conclude,
in the terms of the third question of our investigation, "That they are justly entitled to our
" most grateful commendation, and not our cen-
" sure---to our warm protection, and the just and
" liberal reward of their country, for their ser-
" vices, and not to it's resentive condemnation
" or punishment."

It now only remains to consider the situation and merits of those most eager to become the general and illiberal censurers of so large and respectable a part of ourselves, who, without being at the trouble of reflection or enquiry, have, from the alledged misconduct of a few, arrogated to themselves the right of passing sentence on the whole.

Among these I can only discover persons possessing the *negative merit* of inheriting rank or independence from the virtue or toils of their ancestors; whose *most fatiguing expedition* has been a " summer trip to the Continent, in search of an

" Opera dancer," and whofe *moſt glorious exploit* has conſiſted in a " ſucceſsful elopement, where " no reſcue was attempted ;" or others, moving in the more humble ſphere of aping their betters in the repetition of common-place opinions, as the moſt promiſing mode of ſecuring their future favour. Surely, theſe ought not to prove leaders of ſufficient weight to bias the judgment of the people of England, whoſe juſtice, on reflection, will ever teach them to queſtion their own right of paſſing ſentence, as well as the grounds on which they proceed ; and until they forfeit the character of Britons, they will be as cautious in aſſuming a competency of judgment improperly, as tenacious in it's maintenance when admitted. Yet, for want of ſuch reflection, I am ſorry to ſay, the juriſdiction has not only been aſſumed, but they have actually proceeded to judgment--- haſtily, I will admit ; but nevertheleſs carrying with it all the poignancy of condemnation and conſequent prejudice, with ſtrong indications of which the preſs at preſent teems ; and the " de- " linquency and peculations of our ſervants " abroad," come as pat from the mouths of every porter at the India Houſe, as " the laſt " dying,

" dying ſpeech and confeſſion of the malefactors
" executed at Tyburn," from that of the butcher's parrot of St. Martin's Court; and though with as little intellectual connexion, yet as eagerly liſtened to by the wondering and credulous multitude.

The terms " delinquents" and " peculators," appear to be received as ſynonymous deſcriptions of gentlemen ſerving abroad; yet it is by no means free from apprehenſion, that too ſtrict an enquiry would prove them infinitely more applicable to thoſe of correſponding ſtations in England. But, with what eye would the injuſtice of the gentlemen from India be regarded, were they therefore to pronounce indiſcriminate cenſure?--- However, admitting miſconduct among our brethren of the Eaſt, (for what but imperfection is the lot of humanity!) it clearly can only be confined to a few. Miſconduct neceſſarily implies a pre-exiſting power to incur it; common ſenſe teaches, that few there are in any Government, who can poſſeſs that power; and that it can only be among thoſe few that we can look for reſponſibility: therefore, the accuſer, be he who he may, previous to condemnation, ſhould diſpaſ-

ſionately

ſionately and deliberately queſtion himſelf as to the power of the party arraigned, and regulate his opinions accordingly. The Britiſh inhabitants of the Eaſt are no more *all rulers individually*, than the whole people of England: it would be prepoſterous to ſuppoſe it; but it would not be more prepoſterous to condemn the whole people of England on that ground of conſtructive abuſe and oppreſſion, than it is to involve, under indiſcriminate condemnation, the whole body of Britiſh ſubjects in Aſia. Much pains have been taken to load with opprobrium a ſervice, which, in itſelf, is indiſputably honourable; but wherein can the difference of ſervice between England and Aſia conſiſt, the purſuit being ſo much the ſame, as to entitle the former to imply purity, while the latter ſhall only infer contamination? The moſt rigid analyſis will prove to an axiom, how ridiculous the doctrine;---it will evince, to mathematical demonſtration, that the object of both ſervices is alike a mixture of honour and profit; that wealth is not leſs our purſuit at home than abroad. But here, I apprehend, the compariſon between our brethren of India and ourſelves, will not prove favourable to us, if we re-

vert to the difficult, dear bought, and far fought rewards of the one, and to the satisfactory ease of the obtaining it at home in the bosom of their native country, amidst their families and friends, and without the sacrifice of health, or any one enjoyment that can attend life, by the other:--- these last, moreover, possess not the plea of having a competency to seek, which, as I have before said, they already have the negative merit of deriving from their ancestors, but are actuated by the inordinate thirst of accumulation; whereas, the former go professedly in search of a well-earned competency, which, when acquired, they return to share hospitably amongst their countrymen. And shall we, my friends, think even the meanest of our fellow-subjects in this kingdom entitled to enjoy unmolested the fruits of his industry, and deny the same privilege to those who have paid so dearly for the acquisition of independence, in the accomplishment of our aggrandizement abroad? Or, can we suppose, that the official advantages in that country, any more than in this, are confined to nominal, inadequate salaries! We need only have recourse to the Kalendar to satisfy ourselves on what an unreasonable

ground ſuch an expectation would here be formed; and wherefore affect ſurprize at the exiſtence of emolument in India, beyond the ſalaries annexed, which, in that country, are not even equal to the moſt rigid frugality;---but, were they even a *decent* maintenance, could we reaſonably expect gentlemen to quit their native country, their families, and friends, in purſuit of a mere temporary ſubſiſtence, and thereby ſubſcribe to baniſhment, like felons tranſported for life, without hope of return! If the ſervice of the Eaſt be a ſervice of emolument, as it undoubtedly is, and certainly ought to be, the ſervice of England is not leſs ſo; and I venture to pronounce, without the fear of contradiction, that they are alike avowed, and ſo equally well underſtood, as alike to have obtained ſanction from the neceſſity of toleration. But, we need not inſtance either England or India; all ſervices whatever have their foundation in emolument, which forms the cement of aſſociation, and creates the only title we can make to the aſſiſtance of our fellow-creatures.

It may here be alledged, that India Delinquency ſtands actually before the nation in moſt glar-

ing colours. But, let us for a moment examine the ſituation of parties ſo arraigned, and we ſhall find, that they are wholly confined to ſuch individuals, as in a former part of their lives, having returned with moderate fortunes and reaſonable views, were corrupted by the intrigues and evil example of thoſe at home, to anſwer different views, and taught ſo well to feel the neceſſity of abundant riches in this extortionate country, as to make them deſperate in their reſolves on future acquiſitions at any price. I am perfectly warranted to uſe this laſt, though harſh expreſſion; for, who can deny, that the gentlemen from India, immediately on their landing in England, become objects of general prey to plunderers of all denominations? This, without the ſting of the preſent faſhionable vices, ſo well underſtood within the precincts of St. James', has not a little contributed to drive many of them back again, while others, failing in this expedient, have actually ſunk under the weight of it's oppreſſion.

But, it may be ſaid, the general condemnation before alluded to has even originated from the authority of the head of their own community.

(See Mr. Hafting's Letters from Bengal, 5th May 1781, and from Lucknow, 30th April 1784, &c.)

How far the fentiments contained in thofe letters were dictated by truth, or what oppofite impreffions they were calculated to effect, the People of England can by this time form a competent judgment. I am happy to fee that my countrymen, thus injured, have found protection in the lights thrown thereon by Mr. Burke's bright and able exertions; for, in a Government conftituted like that of Bengal, where our fuperiority is more ideal than real, the *governing* being fo out of all proportion to the *governed*, the degradation or depreffion of the Englifh name and character is by no means the leaft exceptionable part of a Governor's conduct. The beforementioned Letters would lead us to believe, that *all* in India were corrupt, *except the author*; but, unlefs the fyftem of ethics be reverfed, it is morally *impoffible* for the *body to be fo univerfally difeafed, and the head remain unpolluted.* Whoever fhall be at the pains of perufing the Letters in queftion, will readily admit the juft fentiments contained in the late celebrated oration of an honorable

honorable Member of the Houfe of Commons, that " fuch imputations on the Englifh name " were moft readily and joyfully countenanced " as a fcreen and fhelter for his own (the au- " thor's) abandoned profligacy."---For my own part, I fhall only further obferve, that *thofe productions are the Author's own libels on his own adminiftration.*

It may be obferved, that the object of this condemnation is not the acquifition of wealth, but the practices of cruelty whereby it is obtained. This is a worn-out charge, which never could be verified. The Britifh inhabitants of India have on more occafions than one loudly applied to their country, (fee Comments on their Petition to Parliament, in the year 1779,) " to " call forth from amongft them any individuals " whofe conduct was exceptionable, to conviction " and punifhment," and even offered their fervices " to affift in the profecution;"---but, from that hour to this, no cafe of guilt has ever been prefumed, except in the inftances of a certain Baronet, and a late Governor General: the firft is recent within the mind of every man, as it regularly underwent a Parliamentary enquiry: the

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ſecond is now before them; and, if he be that honeſt man he announces himſelf, like an honeſt man he will deſire to go to his trial, and, like an honeſt man, be acquitted.

But, my good friends, admitting for a moment what is *moſt diametrically oppoſite to the truth*, that cruelties have been practiſed. If a zealous abhorrence of ſuch acts be your motives, you have a very extenſive field before you, for the exerciſe of your clemency, in the long ſanctioned practices of the Weſt Indies, where ſlavery and cruelty are reduced to a ſyſtem, and human nature is your traffic*. While you publicly countenance ſuch practices as theſe, to what ſhort of envy can be attributed your ſtrictures on your brethren in the Eaſt? It will be difficult to perſuade future ages, that your condemnation of *alledged conduct* in one part of the world is the

* I have been well aſſured, that, in the Weſt Indies, ſlavery is reduced to ſo complete a ſyſtem, that planters there make regular calculations by which they are governed in the treatment of their ſlaves, and from which they find it more beneficial to work their ſlaves to death in the ſhort ſpace of three years, than to allow them the courſe of nature's ſpan in the performance of ordinary duty.

effect of humanity, while you *publicly* enjoy the benefits arising from the *open sale* of your fellow-creatures in another!!

Having thus offered a vindication of the conduct of my countrymen against private prejudice and public representation, let us advert a little to some public acts of this nation, whereby they have just reason to consider themselves injured.

In 1773, we passed an act under the plea of correcting prevalent abuses in the administration of the Company's affairs both at home and abroad, which, by depriving them of their natural right of trial by jury, the great palladium of the freedom of England, became an arbitrary and unjust oppression; and this was farther aggravated by the institution of a Court of Judicature, vesting in the Judges, or at least leaving them the power to assume an undefined jurisdiction, accompanied by a species of discretion in the dispensation of justice, unknown to the system of jurisprudence and the practice of the Courts in Great Britain, by which these Judges virtually became Legislators also. Measures of such tendency require no comment to an English reader. But, injurious as they were to the birth-

rights

rights of Englifhmen, let us examine with what temper they were received in India. The operation of this inftitution commenced in Bengal in the year 1774. It is not to be fuppofed our brethren there could be infenfible to fo grofs a grievance, or that their minds could be otherwife than filled with alarm, at thus becoming the objects of meafures fo unconftitutional, and far more calculated to multiply than to remedy the evils which they were profeffedly to remove.--- They neverthelefs received the act with the deference due to the authority from whence it iffued, and unmurmuringly fubmitted to it's practice and effects, for a period of near five years, in order to give it a full and uninterrupted trial; and, then only, on bitter experience of it's baneful confequences, came forward in a modeft and refpectful appeal to their country, figned by fix hundred and forty-eight as good and loyal fubjects as any in his Majefty's dominions, for that redrefs to which they were fo well entitled.--- But, I am forry to caft fo great a flur on the honor and juftice of my country, as to obferve thefe grievances, crying as they are, ftill unredreffed: nay, we have, on the contrary, even added

added insult to injury, by the subsequent act of 1784, not only by divesting them of other rights and privileges derived from their situation and length of services, but, to the disgraceful encouragement of base informers, who, in that country in particular, are ever ready to sacrifice their masters, or protectors, to sordid purposes. I shall not enlarge on that clause of the act which was a monument of so much glaring disgrace to our nation, that it's framers found it wise to repeal it. I must, however, observe, that the insult it offered was complete in the enacting it, as it fully and strongly expressed the ill-founded angry bias which raged in the minds of their countrymen against them. The clause in allusion cannot fail to be in the recollection of my reader; but, to bring to his mind the full influence of it's injurious tendency, let him reflect with what temper such a clause would be received among the people of England, and more particularly among the Members of that very House, who framed and passed the act for others.

Still unredressed, the grievances of our fellow-subjects in India now form the substance of a second petition to their country, which has, at

length, found its way to the table of the Houſe of Commons; but, under ſo many difficulties and diſcouragements, as to damp the proſpect of the redreſs reaſonably looked for; at leaſt, ſhould any weight be given to the extraordinary opinion of an honorable miniſterial Member on the motion for it's introduction, who, if he did not conſider the petitioners as the *inanimate property* of the Eaſt-India Company, clearly reduced them to the ſtate of live ſtock; for, " how," ſays he, " can we receive a petition from thoſe " who are only the ſervants of the Company, " when the Company themſelves [or, in other " words, *theſe gentlemen's owners*] have not petitioned!" As the diſcuſſion of India buſineſs, from the conſpicuous and exalted ſtation which this honorable Member fills, muſt completely abſorb his thoughts at preſent; and as it is by no means unuſual with him to trample on all *diſtinctions of locality*, ſo, on this occaſion, he muſt certainly have tranſported his mind's eye from Calcutta, the reſidence of *gentlemen not in any reſpect his inferiors*, to the wretched ſcene of Engliſh avarice and deſpotiſm in Rohilcund, where *our humane ally* the tyrant Sujah Dowlah, " having [it is " ſaid]

" ſaid] converted the Rohillahs into ſubjects, the
" next thing he does is to deny them the rights
" of human creatures, and palpably conſider them
" as inanimate property, which the owner may
" diſpoſe of as he thinks fit."---Good Heavens! what a doctrine! I congratulate my country, however, that it did not proceed from the *mouth of an Engliſhman*; and that the rectitude of a Britiſh Houſe of Commons ſcouted ſuch ſentiments with the ſcorn they deſerve. We ought not, however, to be affected with ſurprize at the ſpeech in queſtion, when we reflect, that the petition againſt which it argued, was produced by the oppreſſive act which this very Member is ſuppoſed to have had ſo ample a ſhare in framing, and of which the moſt offenſive clauſe (ſaid to have been his favourite bantling) but too plainly characterizes it's author, and his talents for deſpotiſm.

We ſhall not relinquiſh the hope of ſeeing the natural juſtice of Parliament exerted in a due attention to the reaſonable prayer of the petition of theſe our fellow-ſubjects. An Engliſh Houſe of Commons has ever hitherto gloried in oppoſing unconſtitutional meaſures---and they would de-

ſert their duty if they did not: ſuch inſtances, therefore, of encroachment, as now aggrieve our fellow-ſubjects in India, can only be attributed to miniſterial faction; and, conſequently, it is to be preſumed, cannot be of much longer duration. Juſtice will ever prove a ſufficient ſpur to Engliſhmen, without having recourſe to the additional motive of caution againſt driving the oppreſſed to ſuch deſperate acts as the ſtrength of a powerful army, conſiſting of fifteen hundred experienced officers, and ſixty thouſand brave and well-diſciplined troops, attached to them from affection and ſervice, in poſſeſſion of a rich and extenſive country, yielding a moſt princely revenue, and fraught with every valuable reſource, might enable them to effect. But, ſhould Miniſters perſiſt in turning a deaf ear to the juſt claims of the petitioners, becauſe they poſſeſs the power ſo to do, and determine to with-hold rights, to the poſſeſſion and free exerciſe of which, the loyalty, fidelity, and great atchievements of our brethren in India, in their country's cauſe, would of themſelves be deemed an ample title under more reaſonable men, I ſhall moſt earneſtly recommend it to ſuch rulers,

to turn their reflections to the fatal and yet bleeding effects experienced from such unfeeling and injudicious conduct towards our late brethren in America; whose persecution, as I before said, "originated in prejudice, was conducted in ignorance, and has concluded in compulsive severance." Our fellow-subjects in the East have shewn, that they can bear distress like men, and feel like men; and while we shall continue to possess our valuable acquisitions in that country, which we at present hold on a tenure of perpetuity as the tribute of their eminent services, and which nothing can shake, while we continue to possess their affections and attachment unshaken, we certainly cannot require to be reminded, that they can also *act like men*. Let us, then, beware how we drive them to extremities; nor, when they apply to us for bread, present them a stone. Our errors towards them are hitherto retrievable with honor;---but, leaving the protection of their petition to the more able and interested advocates acting under their immediate delegation, I shall not further trespass on the patience of my readers. The object of this Appeal is of a different nature; and I dare trust, the candid

and generous minds of my countrymen, ever open to conviction, particularly in the cause of TRUTH, will have suffered my just, though unadorned arguments, to remove the veil of prejudice from their understandings, nor longer allow "the dark rays of vice, conspicuous in a "few daring characters, to overshadow the brilliant virtues of the Many, and thus suffer integrity and abilities to be passively enveloped "in the steam of unrighteousness:"---that they will not confound particular error with general merit and loyal service; nor forget, that their *fellow-subjects in India are a part of themselves, and have never yet been deficient in their country's cause.*

An apology to the Public for an intrusion on their time, generally precedes the subject; and, although I feel the necessity of it greater in my instance than in any other, I still flatter myself it will not be less favorably received, as a conclusion, than if I had, in the usual way, made it in a formal exordium. I may safely place great reliance on the disinterestedness of my motive; but more powerfully rest on the necessity which humanity laid me under, of taking up a cause,

which,

which, in the opinion of unprejudiced people, has been *moſt ſhamefully abandoned by gentlemen, whoſe former ſtations in India, and preſent ſituations in an Honorable Aſſembly, render it their more immediate province, if not their duty*, which can no otherwiſe be accounted for, than as the effect of the miſtaken principle, of ſuppoſing it neceſſary to ſacrifice the whole community of their India brethren to the deſperate cauſe of an individual.---And this abandonment is the more ſhameful, as the expectation of the nation is naturally directed to them in particular, for a juſtification of their former ſociety; and that their ſilence, however indefenſible, may be conſtrued into condemnation: they ſhould, however, reflect, that this condemnation muſt in a more material degree affect themſelves, not only from their affinity of power and conſequent reſponſibility, with the individual in queſtion, but from the dread of inveſtigation, which this their ſilence might imply.---Should this hint tend to awaken them from their unpardonable lethargy, it will prove a great additional reward for any pains I may have been at in collecting materials for the juſtification of my fellow-countrymen abroad, which, in my opinion,

opinion, requires nothing more than a ſimple ſtate of facts amply and firmly to eſtabliſh.--- I have done my duty, as a good citizen, in contributing my mite towards it; and thereon found a claim to call on theſe gentlemen, either to follow my example, or to avow the motives of their deſertion of what muſt be no leſs their own, than the cauſe of our abſent countrymen.

F I N I S.

C O P Y

OF A

L E T T E R

FROM

WARREN HASTINGS, Esq.

TO THE

COURT OF DIRECTORS,

RELATIVE TO THEIR CENSURE ON HIS CONDUCT AT BENARES;

AND ALSO THE

ANSWER OF THE COURT OF DIRECTORS THERETO;

PRESENTED TO THE HOUSE OF COMMONS UPON THE SECOND DAY OF MARCH, 1786.

TO WHICH IS ADDED A

L E T T E R

FROM

Mr. HASTINGS to WILLIAM DEVAYNES, Efq.

CHAIRMAN OF THE INDIA COMPANY,

From Cheltenham, July 11, 1785,

ON THE SUBJECT OF

MONEY PRIVATELY RECEIVED.

L O N D O N:

Printed for J. DEBRETT, oppofite Burlington Houfe, Piccadilly.

M,DCC,LXXXVI.

ADVERTISEMENT.

THE following papers have been lately printed by order of the Houſe of Commons; but the number of thoſe copies being limited, they are now reprinted, to meet the convenience of the Public at large.

We have ſtudiouſly avoided aſſiſting any controverſy on this important ſubject, at a criſis when the whole caſe being ſubmitted to parliamentary inquiry, it has appeared more candid to withhold any intermediate diſcuſſion: a motive of juſtice and fairneſs which, we truſt, will, for the preſent, excuſe us to many of the ableſt writers, who have favoured us with obſervations on the paſt and preſent circumſtances of India.

COPY OF A LETTER, &c.

To the Honourable Court of Directors of the Honourable United East India Company.

Fort William, 20th March, 1783.

HONOURABLE SIRS,

IN your letter to the Governor General and Council, dated the 28th of August, 1782, you have been pleased to enter into a large discussion of my proceedings at Benares, and to apprise the Board of certain resolutions comprehending your judgement upon them. These resolutions, as the immediate cause and subject of my present address, I shall, to avoid the perplexity of frequent and remote reference, hereto subjoin:

" That it appears to this Court, that on the death " of Sujah Dowlah, 1775, a treaty was made with " his successor, by which the zemindary of Benares, " with its dependencies, was ceded in perpetuity to the " East-India Company:

" That it appears to this Court, that Rajah Cheyt " Sing was confirmed by the Governor General and " Council of Bengal in the management of the said " zemindary, (subject to the sovereignty of the Com- " pany) on his paying a certain tribute, which was " settled at Sicca rupees 2,266,180; and that the Ben- " gal Government pledged itself that the free and un- " controlled possession of the zemindary of Benares,

" and

" and its dependencies, ſhould be confirmed and gua-
" ranteed to the Rajah and his heirs for ever, ſubject
" to ſuch tribute, and that no other demand ſhould be
" made upon him, nor any kind of authority or juriſ-
" diction exerciſed within the dominions aſſigned him,
" ſo long as he adhered to the terms of his engage-
" ments:

" That it appears to this Court, that the Governor
" General and Council did, on the 5th of July, 1775,
" recommend to Rajah Cheyt Sing to keep up a body
" of 2000 horſe; but at the ſame time declared, there
" ſhould be no obligations upon him to do it:

" That it appears to this Court, that Rajah Cheyt
" Sing performed his engagements with the Company
" in the regular payment of his tribute of Sicca rupees
" 2,266,180.

" That it appears to this Court, that the conduct of
" the Governor General towards the Rajah, whilſt he
" was at Benares, was improper; and that the impri-
" ſonment of his perſon, thereby diſgracing him in
" the eyes of his ſubjects and others, was unwarrant-
" able and highly impolitic, and may tend to weaken
" the confidence which the native princes of India
" ought to have in the juſtice and moderation of the
" Company's Government."

I underſtand that theſe reſolutions were either publiſhed, or intended for publication. As they have proceeded from an authority ſo reſpectable, every reader of them will naturally, and without heſitation, believe that the facts on which they neceſſarily and indiſpenſably depend have been fully eſtabliſhed; and who are the readers? Not the Proprietors alone, whoſe intereſt is immediately concerned in them, and whoſe approbation I am impelled, by every motive of pride and gratitude, to ſolicit, but the whole body of the People

ple of England, whose passions have been excited on the general subject of the conduct of their servants in India; and before them I am arraigned, and pre-judged of a violation of the national faith in acts of such complicated aggravation, that, if they were true, no punishment short of death could atone for the injury which the interest and credit of the Public had sustained in them.

I hope, therefore, I shall not be thought to give unnecessary trouble in calling your attention to a subject not wholly personal, nor to fail in the respect in which I have never yet failed, to your honourable Court, in the mode of my vindication, which will not admit of the common delicacies of expression; for I cannot admit facts, however affirmed, which I know to have no existence, and by which my character has been blasted, nor will a simple denial or refutation of them be sufficient against such a charge, if I can at the same time appeal to your own knowledge, proved by the evidence of your own arguments, and to what your honourable Court possesses of candour for my first justification and acquittal.

The facts affirmed, or expressed in terms equal to affirmation, in your resolutions, are as follow:

1st. That the Bengal Government pledged itself that the free and uncontrolled possession of the zemindary of Benares, and its dependencies, should be confirmed and guaranteed to the Rajah and his heirs for ever.

2d. That it pledged itself that no other demand should be made upon him, nor any kind of authority or jurisdiction exercised within the dominions assigned him, so long as he adhered to the terms of his engagements.

3. That the Governor General required him to keep up a body of 2000 horse, contrary to the declaration made

made to him by the Governor General and Council, on the 5th of July, 1775, that there should be no obligation on him to do it.

4th. That Rajah Cheyt Sing was bound by no other engagements to the Company than for the payment of his tribute of Sicca rupees 2,266,180.

5th. That Rajah Cheyt Sing was a native prince of India.

6th. The judgement passed on my conduct as deducible from these facts is, that it was "improper, "unwarrantable, and highly impolitic, and may tend "to weaken the confidence which the native princes "of India ought to have in the justice and moderation "of the Company's government." Here I must crave leave to say, that the terms "improper, unwar-"rantable, and highly impolitic," are much too gentle, as deductions from such premises; and as every reader of the latter will obviously feel, as he reads, the deductions which inevitably belong to them, I will add, that the strict performance of solemn engagements on one part, followed by acts directly subversive of them, and by total dispossession, on the other, stamps on the perpetrators of the latter the guilt of the greatest possible violation of faith and justice.

But this, and every other conclusion from the facts adduced in proof of them, will fall, if the facts themselves have no existence. I do therefore most positively and solemnly deny their existence.

I deny that the Bengal Government pledged itself, that the free and uncontrolled possession of the zemindary of Benares, and its dependencies, should be confirmed and guaranteed to the Rajah and his heirs for ever.

I deny that the Bengal Government pledged itself that no other demand should be made upon him, nor

any kind of authority or jurifdiction exercifed within the dominions affigned him, fo long as he adhered to the terms of his engagements.

I deny that I ever required him to keep up a body of 2000 horfe, contrary to the declaration made to him by the Governor General and Council, on the 5th of July, 1775, that there fhould be no obligation on him to do it.

My demand (that is, the demand of the Board) was not that he fhould maintain any fpecific number of horfe, but that the number which he did maintain fhould be employed for the defence of the general ftate.

I deny that Rajah Cheyt Sing was bound by no other engagements to the Company than for the payment of his tribute of Sicca rupees 2,266,180.

He was bound by the engagements of Fealty, and abfolute obedience to every order of the Government which he ferved. The various and repeated profeffions of his letters are proofs and acknowledgements of this conftruction of his vaffalage; and his own cabuleeat, or the inftrument by which he engaged to perform the duties of his zemindary, expreffes it in the acknowledgement of the Company's fovereignty.

I deny that Rajah Cheyt Sing was a native prince of India.

Cheyt Sing is the fon of a collector of the revenue of that province, which his arts, and the misfortunes of his mafter, enabled him to convert to a permanent and hereditary poffeffion. This man, whom you have thus ranked amongft the princes of India, will be aftonifhed, when he hears it, at an elevation fo unlooked for, nor lefs at the independent rights which your commands have affigned him — rights which are fo foreign to his conceptions, that I doubt whether he will know

in

in what language to aſſert them, unleſs the example which you have thought it conſiſtent with juſtice, however oppoſite to policy, to ſhew, of becoming his advocates againſt your own intereſts, ſhould inſpire any of your own ſervants to be his adviſers and inſtructors.

I forbear to detail the proofs of theſe denials: in legal propriety I might perhaps claim a diſpenſation from it, and require the charges to be proved, not myſelf diſprove them; but I have already diſproved them in my narrative of my proceedings at Benares, which has been long ſince in your hands, and is, I hope, in the hands of the Public. — To that I think it ſufficient to refer, and to point out the ninth and following pages of the copy which was printed in Calcutta, for a complete explanation, and I preſume as complete a demonſtration of the mutual relation of Rajah Cheyt Sing, the vaſſal and ſubject of the Company, and of the Company his ſovereign.

The ſubject to which I now proceed, and on which I reſt my fulleſt acquittal, is too delicate to admit of my entering upon it without requeſting your indulgence and pardon for whatever may appear offenſive in it, and declaring that I ſhould have ſubmitted in ſilence to the ſevereſt expreſſions of cenſure which you could paſs upon me, had they been no more than expreſſions, and applied to real facts; but where the cenſures are not applied to real facts, and are ſuch as ſubſtantially affect my moral character, I ſhould be myſelf an accomplice in the injury, if I ſuffered the ſlighteſt imputation to remain, which it was in my power wholly to efface.

A breach of faith neceſſarily implies antecedent and exiſting engagements, and can only be conſtrued ſuch by the expreſs terms of thoſe engagements. I have been guilty of this crime in my treatment of Rajah Cheyt

Cheyt Sing, or of none; and I may be allowed to regret, that while you ſtated ſuch facts as implied it, you did not in terms declare it. There is an appearance of tenderneſs in this deviation from plain conſtruction, of which, however meant, I have a right to complain; becauſe it impoſes on me the neceſſity of framing the terms of the accuſation againſt myſelf, which you have not only made, but have ſtated the leading arguments to it ſo ſtrongly, that no one who reads theſe can avoid making it, or not know to have been intended.

But permit me to aſk — May I not preſume, that this deviation aroſe from ſomething more than a tenderneſs for my character or feelings? That it was dictated by a conſciouſneſs that no ſuch engagements exiſted; for if any ſuch did exiſt, why were they not produced in ſupport of the charges?

Even the facts which are affirmed in the reſolutions are ſuch as muſt depend on ſome evidence; for they cannot exiſt independently. If the Bengal Government "pledged itſelf," its pledge muſt be contained in the written inſtruments, which were expreſſly formed and declared to define the reciprocal relation and obligation of the Rajah and the Company.

The reſolutions of your honourable Court, as they ſtand unconnected in their original ſtate, muſt be accepted as the concluſions from certain and eſtabliſhed evidence; and this evidence, I muſt preſume, you meant to produce in the long proceſs of detailed argument which precedes them in your general letter. This conſiſts of pieced extracts from opinions delivered by me in the debates in Council, which not only preceded the ſettlement made with the Rajah Cheyt Sing, when his zemindary became the property of the Company; but, ſtrange as it will appear, which paſſed on an occaſion wholly foreign to it, and at a time when the Com-

pany had not obtained the cession of the zemindary. At the point of the settlement your detail stops; had it proceeded, it must have exhibited the conditions of the settlement, which would have contradicted every fact which you have asserted, and every man of candour will believe, that this was the only reason why it did not proceed; for why are my speculative opinions on the claim made upon the Nabob Assof ul Dowlah to the cession of the zemindary of Benares, which I thought an infringement of a treaty already subsisting with him, and upon the mode by which we should allow Rajah Cheyt Sing to exercise the management of his zemindary, when it had become the property of the Company, quoted in evidence against me, when the actual deeds which conveyed to Cheyt Sing his possession of the zemindary, and all the conditions on which he held it, were the only criteria by which my conduct towards him could be tried? The debates from which my opinions are extracted, are so voluminous, and my share in them bears so large a proportion, that it would take up much time and argument to prove what I could prove, that in their collective and relative sense they are perfectly consistent, so far as they can apply at all to my subsequent conduct; but were it otherwise, they were not to be made the rules of my conduct; and God forbid that every expression, dictated by the impulse of present emergency, and unpremeditatedly uttered in the heat of party contention, should impose upon me the obligation of a fixed principle, and be applied to every variable occasion.

The wisdom of the Legislature has declared, that the whole collective body of the Governor General and Council shall be bound by the opinions of the majority; but the doctrine implied in your quotation of my opinion is the reverse of that obligation, if my opinions were

were not conformable to thoſe of a majority of the Board; and if they were, the acts of the Board, formed on ſuch concurrent opinions, ought to be quoted as the rules of my conduct, not the opinions which only led to them.

Having ſolemnly pronounced that Rajah Cheyt Sing had performed his engagements with the Company, and that my conduct toward him was " improper and " unwarrantable," you proceed to ſay, that " ſuch farther reſolutions as you may think proper to come to " on this important ſubject will be communicated to " us by a future conveyance." This I cannot otherwiſe underſtand than as an indication of your intention to order the reſtoration of Rajah Cheyt Sing to the zemindary of Benares: it will be expected, after the judgement which you have paſſed, as an act of indiſpenſable juſtice; and whenever this promiſſory declaration is made public, as it muſt be, if not already known, what may have been expected will be regarded as a certainty. If any thing were wanting but the expreſs notification of your intention to confirm it, the recall of Mr. Markham, who was known to be the public agent of my own nomination at Benares, and the re-appointment of Mr. Francis Fowke, by your order, contained in the ſame letter, would place it beyond a doubt. This order has been obeyed; and whenever you ſhall be pleaſed to order the reſtoration of Cheyt Sing, I will venture to promiſe the ſame ready and exact ſubmiſſion in the other members of your Council.

Of the conſequences of ſuch a policy I forbear to ſpeak. Moſt happily, the wretch whoſe hopes may be excited by the appearances in his favour, is ill qualified to avail himſelf of them, and the force which is ſtationed in the province of Benares is ſufficient to ſuppreſs any ſymptoms of internal ſedition; but it cannot fail to create diſtruſt and ſuſpenſe in the minds both of the

rulers and of the people, and such a ſtate is always productive of diſorder.

But it is not in this partial conſideration that I dread the effects of your commands; it is in your proclaimed indiſpoſition againſt the firſt executive member of your firſt government in India; it is as well known to the Indian world as to the Court of Engliſh Proprietors, that the firſt declaratory inſtruments of the diſſolution of my influence, in the year 1774, were Mr. John Briſtow and Mr. Francis Fowke. By your ancient and known conſtitution, the Governor has been ever held forth and underſtood to poſſeſs the oſtenſible powers of Government; all the correſpondence with foreign Princes is conducted in his name; and every perſon reſident with them for the management of your political concerns is underſtood to be more eſpecially his repreſentative, and of his choice: and ſuch ought to be the rule; for how otherwiſe can they truſt an agent nominated againſt the will of his principal? or how, knowing him to act under the variable inſtructions of a temporary influence, or the caſual dictates of a majority, can they rely on the meaſures which he may propoſe, and which a ſudden change of influence, always expected in a deviation from conſtitutional forms, may undo, and ſubject them, in every inſtance of their connection, to a continual fluctuation of affairs?

When the ſtate of this Adminiſtration was ſuch as ſeemed to admit of the appointment of Mr. Briſtow to the reſidency of Lucknow, without much diminution of my own influence, I gladly ſeized the occaſion to ſhew my readineſs to ſubmit to your commands: I propoſed his nomination; he was nominated, and declared to be the agent of my own choice. Even this effect of my caution is defeated by your abſolute command for his re-appointment, independent of me, and with the

ſuppoſition

ſuppoſition that I ſhould be adverſe to it. I am now wholly deprived of my official powers, both in the province of Oude and in the zemindary of Benares.

Nor will the evil ſtop at theſe lines. My general influence, the effects of which have been happily manifeſted for the ſupport of your intereſts, is now wholly loſt, or what may remain of it ſuſtained only by the preſcription of long poſſeſſion, and ſomething, perhaps, of perſonal attachment, impreſſed by the habits of frequent intercourſe.

I almoſt ſhudder at the reflection on what might have happened, had theſe denunciations againſt your own Miniſter, in favour of a man univerſally conſidered in this part of the world, as juſtly attainted for his crimes, the murderer of your ſervants and ſoldiers, and the rebel to your authority, arrived two months earlier. You will learn by your common diſpatches what difficulties Mahdajee Scindia has had to ſurmount in reconciling the different members of the Mahratta State to the ratification, and even when ratified, to the interchange of the treaty concluded by him in May laſt with this government. I dare to appeal even to your judgement for the reply; and to aſk, whether the Miniſters of the Peſhwa, poſſeſſing the knowledge of ſuch a circumſtance, would not have availed themſelves of it to withhold their conſent to the treaty, either claiming to include Cheyt Sing as a party in it, or either overtly or ſecretly ſupporting his pretenſions, with the view of multiplying our difficulties; or, which is moſt probable, waiting for the event of that change in the ſuperior government of Bengal, which ſuch ſymptoms portended, before they precipitated their intereſts in a connection with a declining influence, which they might obviouſly conclude would render this, with all its other acts, obnoxious to that which ſucceeded it?

Their

Their counterpart of the treaty is ratified, and in our actual poſſeſſion; and ſuch is the character of the man whom we have made our principal and guarantee of it, that it will inſure us againſt any change of ſentiment which might ariſe, from any cauſe, in the breaſts of his countrymen. I am happy in having been the ſole inſtrument of the accompliſhment of ſo great an event. It originated in a ſcene of univerſal revolt, encompaſſing my own perſon; it began with the immediate ſeparation of the firſt power of the Mahratta ſtate from the general war, and was followed by the inſtant and general ceſſation of hoſtilities, in effect by a permanent peace; for I have a right now to affirm this, having poſitively aſſured you that it would prove ſuch, while the formal confirmation of it remained ſo long in a ſtate of ſuſpenſe. In every progreſſive ſtate of it, it has met with obſtructions which might have diſcouraged even the moſt determined perſeverance; in the known indiſpoſition of the Preſidency of Bombay; in the calamities of the Carnatic; in the alarming interference of the Preſident and Select Committee of Fort St. Geoege, by the exaggerated portrait of their affairs in a letter addreſſed to our Miniſter, and ſent in circulation through the midſt of Decan and Indoſtan, entreating him at all events, and with whatever ſacrifices, to precipitate the concluſion of the treaty, and ſave them from deſtruction; but above all, in the vehement exclamations for peace from men of every deſcription in Great Britain. To all theſe counteractions I have oppoſed the principle of firmneſs and defiance; and, aided by the peculiar talents and warineſs, and incomparable perſeverance, of Mr. David Anderſon, I have at length brought my wiſhes and yours to their deſtined point. Perhaps, with a leſs able Miniſter, I might yet have failed; but even the merits of his ſervices I claim as my own; for it was my

choice

choice which called his mind into action, and my confidence that gave it its beſt exertion. Pardon, honourable Sirs, this digreſſive exultation; I cannot ſuppreſs the pride which I feel in this ſucceſsful achievement of a meaſure ſo fortunate for your intereſts and the national honour; for that pride is the ſource of my zeal ſo frequently exerted in your ſupport, and never more happily than in thoſe inſtances in which I have departed from the preſcribed and beaten path of action, and aſſumed a reſponſibility which has too frequently drawn on me the moſt pointed effects of your diſpleaſure. But however I may yield to my private feelings in thus enlarging on the ſubject, my motive in introducing it was immediately connected with its context, and was to contraſt the actual ſtate of your political affairs, derived from a happier influence, with that which might have attended an earlier diſſolution of it.

It is now a complete period of eleven years ſince I firſt received the firſt nominal charge of your affairs; in the courſe of it I have invariably had to contend, not with ordinary difficulties, but ſuch as moſt unnaturally aroſe from the oppoſition of thoſe very powers from which I primarily derived my authority, and which were required for the ſupport of it. My exertions, though applied to an unvaried and conſiſtent line of action, have been occaſional and deſultory; yet I pleaſe myſelf with the hope, that in the annals of your dominion, which ſhall be written after the extinction of recent prejudices, this term of its adminiſtration will appear not the leaſt conducive to the intereſts of the Company, nor the leaſt reflective of the honour of the Britiſh name; and allow me to ſuggeſt the inſtructive reflection of what good might have been done, and what evil prevented, had due ſupport been given

to

to that adminiſtration which has performed ſuch eminent and ſubſtantial ſervices without it.

You, honourable Sirs, can atteſt the patience and temper with which I have ſubmitted to all the indignities which have been heaped upon me in this long ſervice. It was the duty of fidelity, which I eſſentially owed to it: it was the return of gratitude, which I owed, even with the ſacrifice of life, had that been exacted, to the Company, my original maſters, and moſt indulgent patrons. To theſe principles have I devoted every private feeling, and perſevered in the violent maintenance of my office, becauſe I was conſcious that I poſſeſſed, in my integrity, and in the advantages of local knowledge, thoſe means of diſcharging the functions of it with credit to myſelf, and with advantage to my employers, which might be wanting in more ſplendid talents; and becauſe I had always a ground of hope that my long ſufferance would diſarm the prejudices of my adverſaries, or the rotation of time produce that concurrence in the criſis of your fortune with my own, which might place me in the ſituation to which I aſpired. In the mean time, there was nothing in any actual ſtate of your affairs which could diſcourage me from the proſecution of this plan. There was indeed an interval, and that of ſome duration, in which my authority was wholly deſtroyed; but another was ſubſtituted in its place, and that, though irregular, was armed with the public belief of an influence inviſibly upholding it, which gave it a vigour ſcarce leſs effectual than that of a conſtitutional power. Beſides, your Government had no external dangers to agitate and diſcover the looſeneſs of its compoſition.

The caſe is now moſt widely different.—While your exiſtence was threatened by wars with the moſt formidable

midable powers of Europe, added to your Indian enemies, and while you confeſſedly owed its preſervation to the ſeaſonable and vigorous exertions of this government, you choſe that ſeaſon to annihilate its conſtitutional powers. You annihilated the influence of its executive member; you proclaimed its annihilation; you virtually called on his aſſociates to withdraw their ſupport from him, and they have withdrawn it; but you have ſubſtituted no other inſtrument of rule in his ſtead, unleſs you ſuppoſe that it may exiſt, and can be effectually exerciſed, in the body of your Council at large, poſſeſſing no power of motion, but an inert ſubmiſſion to the letter of your commands; which, however neceſſary in the wiſe intention of the Legiſlature, have never yet been applied to the eſtabliſhment of any original plan or ſyſtem of meaſures; and ſeldom felt, but in inſtances of perſonal favour, or perſonal diſpleaſure.

Under ſuch a ſituation, I feel myſelf impelled, by the ſame ſpirit which has hitherto animated me, to retain my poſt againſt all the attempts made to extrude me from it, to adopt the contrary line. The ſeaſon for contention is paſt. The preſent ſtate of affairs is not able to bear it. I am morally certain that my ſucceſſor in this government, whoever he may be, will be allowed to poſſeſs and exerciſe the neceſſary powers of his ſtation, with the confidence and ſupport of thoſe who by their choice of him will be intereſted in his ſucceſs. I am become a burden to the ſervice, and would inſtantly relieve it from the incumbrance, were I not apprehenſive of creating worſe conſequences by my abrupt removal from it. Such an act would probably be conſidered by Mahdajee Scindia as a deſertion of him in the inſtant of his accompliſhment of the treaty, and defeat the purpoſes of it, which remain yet to be effected by his agency. I am alſo perſuaded, that it

would be attended with the loſs of the Commander in Chief, in whoſe preſence alone I look for the reſtoration of peace to the Carnatic, which he, perhaps, would think too hazardous an undertaking, with no other ſupport than that of a broken government. I have now no wiſh remaining, but to ſee the cloſe of this calamitous ſcene, and for that I hope a few months will be ſufficient. My ſervices may afterwards be ſafely withdrawn; but will ſtill be due, in my conception of what I owe to my firſt conſtituents, until they can be regularly ſupplied by thoſe of my appointed ſucceſſor, or until his ſucceſſion ſhall have been made known, and the interval but ſhort for his arrival.

It therefore remains to perform the duty which I had aſſigned to myſelf as the final purpoſe of this letter, to declare, as I now moſt formally do, that it is my deſire that you will be pleaſed to obtain the early nomination of a perſon to ſucceed me in the government of Fort William; to declare, that it is my intention to reſign your ſervice, as ſoon as I can do it without prejudice to your affairs, after the allowance of a competent time for your choice of a perſon to ſucceed me; and to declare, that if in the intermediate time you ſhall proceed to order the reſtoration of Cheyt Sing to the zemindary, from which, by the powers which I legally poſſeſſed, and conceive myſelf legally bound to aſſert, againſt any ſubſequent authority to the contrary, derived from the ſame common ſource, he was diſpoſſeſſed for crimes of the greateſt enormity, and your Council ſhall reſolve to execute the order, I will inſtantly give up my ſtation and the ſervice.

To theſe declarations, ſuffer me to add this reſervation, that if in the mean time the acts of which I complain ſhall, on a mature reviſion of them, be revoked, and I ſhall find myſelf poſſeſſed of ſuch a degree of your confidence

confidence as ſhall enable me to ſupport the duties of my ſtation, I will continue in it until the peace of all your poſſeſſions ſhall be reſtored, or it ſhall be your pleaſure to allow me to reſign it.

I have the honour to be,

Honourable Sirs,

Yout moſt obedient,

And faithful ſervant,

WARREN HASTINGS.

P. S. Upon a careful reviſal of what I have written, I fear that an expreſſion which I have uſed, reſpecting the probable conduct of the Board, in the event of orders being received for the reſtoration of Cheyt Sing, may be conſtrued as intimating a ſenſe of diſſatisfaction applied to tranſactions already paſt. It is not my intention to complain of any one, but to vindicate my own character, and to ſtate the difficulties of my ſituation. Neither do I mean, by excepting one perſon, to caſt a cenſure on any others: yet I feel, in my eſteem for Mr. Wheler, and in my ſolicitude to avoid even the imputation of reflecting unjuſtly on his conduct, a duty impelling me to declare, that in my experience of it, ſince the time that we were firſt in the habits of mutual confidence, it has been fair and honourable to myſelf, and zealous to the public; equally free from profeſſion and ſubterfuge; and his ſupport given to me, in every inſtance, equal to whatever claim I might have to it.

W. H.

Observations on a Letter to the Court of Directors of the East-India Company, from Warren Hastings, Esquire, Governor General of Bengal, dated at Fort William, the 20th of March, 1783, interspersed with such authentic Documents as tend to shew the Grounds upon which the Directors established their Resolutions respecting Mr. Hastings' Conduct towards Cheyt Sing, the Rajah of Benares.—Printed by Order of the Court of Directors, November 19, 1783.

At a Court of Directors, held on Thursday, the 18th of July, 1782,

RESOLVED, 1st, That it appears to this Court, that, on the death of Sujah Dowlah in 1775, a treaty was made by his successor, by which the zemindary of Benares, with its dependencies, was ceded in perpetuity to the East-India Company.

Resolved, 2d, That it appears to this Court, that Rajah Cheyt Sing was confirmed by the Governor General and Council of Bengal in the management of the said zemindary, (subject to the sovereignty of the Company) on his paying a certain tribute, which was settled at Sicca rupees 2,266,180; and that the Bengal Government pledged itself, that the free and uncontrolled possession of the zemindary of Benares, and its dependencies, should be confirmed and guaranteed to the Rajah and his heirs for ever, subject to such tribute; and that no other demand should be made upon him, nor any kind of authority or jurisdiction exercised within the dominions assigned him, so long as he adhered to the terms of his engagements.

Resolved unanimously, 3d, That it appears to this Court, that the Governor General and Council did, on the 5th of July, 1775, recommend to Rajah Cheyt Sing

Sing to keep up a body of 2000 horse, but at the same time declared there should be no obligation on him to do it.

Resolved unanimously, 4th, That it appears to this Court, that Rajah Cheyt Sing performed his engagements with the Company, in the regular payment of his tribute of Sicca rupees, 22,66,180.

Resolved, 5th, That it appears to this Court, that the conduct of the Governor General towards the Rajah, whilst he was at Benares, was improper; and that the imprisonment of his person, thereby disgracing him in the eyes of his subjects and others, was unwarrantable and highly impolitic, and may tend to weaken the confidence which the native Princes of India ought to have in the justice and moderation of the Company's government.

OBSERVATIONS, &c.

The Court of Directors having thought proper, after the most mature deliberation, to come to sundry resolutions respecting the conduct of the Governor General of Bengal towards Cheyt Sing, the Rajah of Benares, the same were transmitted to the Governor General and Council, with several prefatory paragraphs. These resolutions have produced a very extraordinary reply on the part of the Governor General, denying, in the most positive terms, the existence of the facts on which they were founded.

As the Governor General has forborne "to * detail "the proofs of these denials," notwithstanding his opinion, "that † a simple denial of them would not

* Vide printed letter, fol. 27. † Ibid. fol. 23.

"be

" be sufficient," his letter would probably have remained unnoticed, had not the zeal of his friends, by printing and circulating it, forced it upon the public attention—a letter calculated to bring contempt as well as an odium on the Court of Directors, for their conduct on this occasion.

This step, taken by Mr. Hastings' friends, makes it necessary, in vindication of the conduct of the Court of Directors, to bring forward such observations as naturally occur on the various assertions contained in the Governor General's letter, and in order to remove any unfavourable impressions which it may have made on the minds of the Public.

The printed letter above mentioned is preceded by extracts from the Company's general letter to Bengal, dated the 28th of August, 1782; at the conclusion of which extracts, is added the following note or memorandum:

" The letter from which the foregoing extracts
" were taken was signed by the two Chairs and eleven
" Directors."

It may therefore be proper, before we enter on a justification of the resolutions, to which part of the foregoing extracts allude, to state,

That, for the 1st resolution, there were 22 Directors against 1.

For the 2d resolution, there were 15 against 8.

The 3d resolution passed unanimously.

The 4th resolution, " That Cheyt Sing performed " his engagements," &c. passed likewise *unanimously*.

For the 5th resolution, after the terms of it, respecting the conduct of Mr. Hastings, had been much softened, there were 16 Directors against 7.

The Governor General, in his letter respecting the said

ſaid reſolutions, has expreſſed himſelf in the following words:

"I deny that the Bengal Government pledged itſelf
"that the free and uncontrolled poſſeſſion of the ze-
"mindary of Benares, and its dependencies, ſhould
"be confirmed and guaranteed to the Rajah and his
"heirs for ever.

"I deny that the Bengal Government pledged itſelf
"that no other demand ſhould be made upon him, nor
"any kind of authority or juriſdiction exerciſed within
"the dominions aſſigned him, ſo long as he adhered to
"the terms of his engagements."

Rajah Bulwant Sing, the father and immediate predeceſſor of Rajah Cheyt Sing, had *rendered great aſſiſtance to the Company in the war between them and the late Vizier Sujah Dowlah, Nabob of Oude.* Upon the concluſion of that war, General Carnac was, on the 11th of June, 1765, impowered by the Preſident and Council of Bengal to ſettle certain preliminary articles with Sujah Dowlah, one of which was, *to ſecure Bulwant Sing in the poſſeſſion of his country.* And by the 5th article of the definitive treaty concluded by Lord Clive at Illahabad, on the 16th of Auguſt following, "his
"Highneſs Sujah Dowlah engages, in the moſt ſo-
"lemn manner, to continue Bulwant Sing in the ze-
"mindaries of Benares, Gauzipore, and all thoſe diſ-
"tricts he poſſeſſed at the time he came over to the
"late Nabob Jaffier Aly Khân and the Engliſh, *on*
"*condition of his paying the ſame revenue as heretofore.*"

On the death of Bulwant Sing, in Auguſt, 1770, his ſon, Cheyt Sing, was, at the recommendation and requeſt of the Preſident and Council of Bengal, inveſted with the government of his father's territories, on his giving a nazerannah of 20 lacks of rupees, and agreeing

agreeing to an increase of two lacks and an half in his annual tribute.

The instrument which was delivered to Cheyt Sing by the Vizier upon this occasion, is called a *treaty*, in which are the following words: " Excepting what is " included in the present agreement, *nothing shall ever* " *be demanded of you in future.*" — It then concludes, " In this, God, and the prophet of God, and the " Koran, are included, that, between us and *our joint* " *posterity*, there will never be a *variation herein.*"

The negociation for establishing Cheyt Sing in the zemindary of his father, was carried on by Captain (now Colonel) Gabriel Harper. — The following passage, in a letter from him of the 8th of October, 1770, to the President and Council of Bengal, giving an account thereof, points out the true line of policy which ought to have been followed by those who afterwards took the lead in that country: " I will leave to the " young Rajah, and others, to acquaint you how I " have conducted myself; only thus much let me say, " that I have kept a strict eye not to *diminish* our *na-* " *tional honour, disinterestedness, and justice*; which I will " conclude has had a greater effect in securing to the " Company their vast possessions, *than even the force of* " *their arms, however formidable, could do.*"

The settlement of the zemindary in the family of Bulwant Sing was deemed of such consequence to the Company's affairs, that the President and Council, in their letter to the Court of Directors of the 31st of October, 1770, offer their congratulations in the following words: — " Permit us, honourable Sirs, to con- " gratulate you on so very happy a *conclusion* of an " event we deem highly important to your interest." And in their letter to the Court of 24th of December following, they say, " that *Cheyt Sing is now* FULLY

" *invested*

" *invested with the government, to the entire satisfaction of*
" *every one, and is considered by the Vizier as holding that*
" *country on the same terms as his father, the difference in*
" *the revenues excepted.*"

The Rajah, by a letter to the Governor, received the 7th of November, expressed his sense of the obligation thus conferred upon him, in the following words: — " The favour of the English Sirdars is such that I can- " not describe the smallest particle thereof, and if even " every hair of my head was a tongue, it would be im- " possible to express my sense of it."

This event happened more than twelve months before Mr. Hastings succeeded to the office of President and Governor of Bengal; yet he has asserted in his printed narrative*, " That Cheyt Sing obtained from our in- " fluence, exerted by *myself*, the *first legal* title that his " family ever possessed of property in the land of which " he, till then, was only the aumil, and of which he " became the *acknowledged zemindar*, by a sunnud " granted to him by the Nabab Sujah Dowlah, *at my* " *instance*, in the month of September, 1773."

This ill-grounded assertion has been noticed here in order to shew the necessity of a careful examination of the several positive assertions in the Governor General's letter, before a decided opinion be formed of the conduct of the Directors.

In the beginning of the year 1773, it was determined by the Council of Bengal, that their President, Mr. Hastings, should proceed to Benares, in order to obtain a personal interview with the Vizier. And in their instructions to him upon this occasion, dated 23d June, 1773, they say, " We empower you to *re-* " *new*, on behalf of Rajah Cheyt Sing, the stipulation " which was *formerly* made with the Vizier in favour

* Page 8.

" of his father Rajah Bulwant Sing, *in consideration of* " *his services to the Company in the year* 1764."

Mr. Hastings having executed his commission, he, on the 4th of October, resumed his seat at the Board, and delivered in a Report of his negotiations.

These negociations, so far as they relate to Rajah Cheyt Sing, are reported in the following words:

" No. 3, is a Persian copy of a coulnama, or *en-* " *gagement*, which I obtained from the Vizier, *con-* " *firming to Rajah Cheyt Sing and his posterity*, the sti- " pulations formerly made in behalf of his father Bul- " want Sing.—No. 4, is an English translation of it.— " No. 5, a copy of the Vizier's pottah, or rent roll, " fixed with Rajah Cheyt Sing for the year 1178 *, " and alluded to in the coulnama.—No. 6, an English " translation of the pottah.—No. 7, the translation of " a letter which I wrote to Rajah Cheyt Sing, as *a* " *farther assurance of the condition promised in the coul-* " *nama*."

" The coulnama was executed in my presence, and " *attested by me.* The Vizier desired that the stipula- " tions made in favour of the Rajah might be exe- " cuted in this mode, rather than by an article in the " treaty, *and it was equally satisfactory to the Rajah.*— " I must remark that he had *already* given the Rajah " a coulnama of this tenor, soon after the death of " Bulwant Sing, through the solicitation of Captain " Harpur, by the orders of the Select Committee.— " He could therefore have no *reasonable* plea to refuse " the *confirmation* of it. Nevertheless he seemed to " think his *former* act of so little validity, that he " pressed me, in very earnest terms, for my consent " that he should *dispossess the Rajah of the forts of Lu-* " *teefgur, and Bidjygur, and take from him* 10 *lacks of*

* Bengal style.

" *rupees*

" *rupees over and above the stipulated rent*; and he seem-
" ed greatly dissatisfied at my refusal. He argued,
" that the treaty of Illahabad related to Bulwant Sing
" *solely*, and was never meant to extend to his *posterity*.
" I confess the *letter* of the treaty *expresses* no more,
" yet I cannot conceive that either the Rajah or Lord
" Clive, when the treaty was made, could have in-
" tended it *in that sense*. It has certainly been *diffe-*
" *rently* understood, *both by the Company and by this*
" *Administration*; and the Vizier himself had *before*
" put it out of all dispute *by the solemn act passed in the*
" *Rajah's favour, on his succession to the zemindary*. I
" am well convinced that the *Rajah's inheritance*, and
" perhaps his life, are no longer safe *than while he en-*
" *joys the Company's protection, which is his due* BY THE
" TIES OF JUSTICE, AND THE OBLIGATIONS OF
" PUBLIC FAITH; and which *policy* enjoins us to af-
" ford him ever most *effectually*."—" *His country is a*
" *strong barrier to ours*, without subjecting us to any
" expences; and we may depend upon him as a *sure*
" *ally*, whenever we may stand in need of his services."

In the translation of the coulnama given by Sujah Dowlah to Rajah Cheyt Sing, which was laid before the Council by Mr. Hastings, are the following passages: " Exclusive of the jumma* specified in the
" cabooleat, *no increase shall ever hereafter be demanded*.
" By the word of God, and the holy Koran, and of
" the blessed Imaums, this agreement is made be-
" tween *me and my heirs, and you and your heirs, and it*
" *shall never be deviated from*."

The pottah fixes the tribute at rupees 22,48,449; and concludes in this manner: " *By the favour of God,*
" *there shall never be any deviation from this agreement*."

The paper, No. 7, referred to in the before-men-

* Amount of the tribute.

 tioned

tioned Report, which is a tranſlation of a letter from Mr. Haſtings to Rajah Cheyt Sing, as a farther aſſurance of the conditions promiſed in the coulnama, is as follows:

" *From the Governor to Rajah Cheyt Sing.*

" At this time, the Vizier of the empire having " given you an agreement under his hand and ſeal, " *which I have counterſigned, and alſo affixed my ſeal to,* " it is neceſſary, that, conformably thereto, and ac- " cording to the treaty concluded at Allahabad by " Lord Clive and the Vizier, reſpecting Rajah Bul- " want Sing, your deceaſed father, you, with the " greateſt cheerfulneſs, pay to the Vizier the rent " thereby eſtabliſhed; in which caſe the Company " *will always attend to your welfare,* and afford you " *their care and protection; and in the agreement afore-* " *mentioned, there ſhall never be any breach or deviation.*"

Such was the relation in which Rajah Cheyt Sing ſtood to the Company, previous to the ſovereignty of Benares being transferred to them upon the ſucceſſion of Aſoph ul Dowlah to the ſubahſhip of Oude.

Mr. Haſtings' idea that the *rights* of Cheyt Sing were eſtabliſhed *even before the Company were the guarantee for the performance of the agreement between him and the Vizier,* is clearly expreſſed by his refuſal to permit the Vizier to diſpoſſeſs the Rajah of the forts of Luteefgur and Bidjygur, and to take from him 10 lacks of rupees over and above the ſtipulated rents.— But when Mr. Haſtings, on behalf of the Company, became himſelf the guarantee of a treaty, which confirmed the zemindary to Cheyt Sing and his heirs for ever, under a certain *fixed tenure,* how much more was the Company's protection due to the Rajah " *by the ties* " *of juſtice and the obligations of public faith!*"

Even after the death of Sujah Dowlah, and imme-

diately

diately preceding the transfer of the sovereignty of Benares, the Resident at the Court of the new Vizier was equally sensible of the rights of the Rajah, as appears by the following extract of a letter from him to the Governor General, dated the 14th of April, 1775.

" I quoted (to the Vizier) the treaty subsisting be-
" tween the late Vizier and Rajah Cheyt Sing, *and*
" *their heirs respectively*, of which the Company *were*
" *the guarantees*. So long as the Rajah paid his kists
" when they became due, his Excellency, on his part,
" *could not demand either an increase of rent or sums in*
" *advance*."

And on the very eve of the conclusion of the treaty with Asoph ul Dowlah, the young Vizier, Mr. Hastings stept in between him and the Rajah to shield the latter from the unjust demands of the former, notwithstanding if the money had been received from the Rajah, the Vizier had promised *to pay it to the Company, in part liquidation of his debt*. On that occasion the Rajah wrote a letter to Mr. Hastings, which he received on the 13th of May, 1775, expressing his acknowledgements in the following words: " I have been honoured with your
" friendly letter, informing me, that, agreeably to my
" desire, you have written to the Nabob Asoph ul
" Dowlah, *to desist from his demand of six lacks of rupees*
" *in advance*." It concludes, " May the Almighty
" grant you a long continuance of every blessing which
" this world can afford for your kindness to me on every
" occasion, who have no other dependance but on your
" favour!"

Having thus shewn the connection between Rajah Cheyt Sing and the Company, previous to the Sovereignty of Benares being transferred to the English, and the unalterable tenure by which he held his zemindary under the Vizier, it is proper to examine the proceedings

ceedings of the Governor General and Council, which led to the treaty with the ſucceſſor of Sujah Dowlah, by which that Sovereignty was veſted in the Company.

In doing this, it is impoſſible to ſeparate the ſimple negotiation for obtaining the Sovereignty of the zemindary from the terms upon which the Rajah was to hold it under the Company; for ſo far from the latter ſubject being, as Mr. Haſtings has aſſerted in his printed letter *, " wholly foreign to the former," it will be ſeen they are ſo blended together, that they cannot, nor indeed ought not, to be ſeparated.

The death of Sujah Dowlah happened in the beginning of February, 1775; and it having been agreed by the Bengal Council, on the 13th of February following, that a new treaty ſhould be executed with Aſoph ul Dowlah, his ſon and ſucceſſor, the Governor General propoſed, " That each member of the Board ſhould " deliver in his ſentiments of the conditions to be re- " quired or acceded to for the new treaty; obſerving, " that not having himſelf ſufficiently conſidered the " ſubject in the latitude which has been given to it by " the foregoing reſolutions †, he wiſhes to prepare " what he may have to offer himſelf."

Upon which it was " Reſolved to adjourn unto the " evening, that every member may prepare his ideas " on the ſubject."

But how has Mr. Haſtings ſpoken of the cool and deliberate opinion which he prepared in conſequence of the preceding reſolution, when he afterwards ſaw that opinion quoted by the Court of Directors? " God " forbid (ſays he) that any expreſſion, dictated by the " *impulſe of preſent emergency, and unpremeditately ut-*

* Fol. 30.

† The reſolutions here ſpoken of related only to the Vizier.

" *tered*

" *tered in the heat of party contention,* ſhould impoſe " upon me the obligation of a fixed principle, and be " applied to every variable occaſion*."

So far from its being the intention of the Board, that their opinion in this buſineſs ſhould be conſidered as mere words paſſed in debate, it will be preſently ſhewn, that even in this imperfect ſtage of it, they deſired the attention of the Court of Directors to thoſe very opinions; nor was it poſſible for the Court to conſider them in any other light, than as the deliberate ſentiments of each individual member, which were hereafter to be ſo modified as to meet the general concurrence.

The Board being aſſembled in the evening, the members delivered in their ſeparate opinions in writing; ſo far as thoſe opinions relate to the province of Benares, they are here ſubjoined.

Mr. Francis's Opinion.

" The zemindary of Benares is to be made de- " pendant as a *fief* on the united kingdoms of Bengal " and Bahar; and the *tribute,* lately paid by the " Rajah to the Vizier, to be paid to this govern- " ment.

" The preſent Rajah of Benares to be confirmed in " the zemindary, which may be perpetuated in his " family, under a *fixed annual tribute,* and *a fixed fine* " at each future inveſtiture; a free trade to be open- " ed between theſe provinces and his country. *The* " *Rajah's authority in his own government to be left free* " *and uncontrolled.*"

Mr. Barwell's Opinion.

" The *independency* of Gauzipore on Oude is a " great political object, and ought to be inſiſted on; " and whatever may be reſolved reſpecting the re-

* Printed Letter, fol. 31.

" venue

" venue paid by the Rajah of that country, *the* " *English government ought not to stand in the same* " *relation to it as the late Vizier*; because the country of " Benares and Gauzipore is a *natural barrier to these* " *provinces*; and the Rajah should have the strongest " *ties of interest* to support our government, *in case of* " *any future rupture with the Soubah of Oude.* To " make this his interest, *he must not be tributary to the* " *English government*; for from the instant he becomes " its tributary, from that moment we may expect him " to side against us; and by taking advantage of the " troubles and commotions that may arise, attempt to " disburden himself of his pecuniary obligations."

Colonel Monson's Opinion.

" We should require that Cheyt Sing's zemindary " be annexed to the soubahship of Bengal, or Bahar, " or to both."

General Clavering's Opinion.

" That the zemindary of Benares and Gauzipore " shall be held by Cheyt Sing, of the Company, in- " stead of the Soubah of Oude.

" The Nabob to relinquish to the Company the " *sovereignty* of Benares and Gauzipore, to be held, " as at present, by Cheyt Sing, *on his paying his tribute* " *to the Company.*

" In order to attach this Rajah to the Company, *his* " *tribute ought to be diminished at least three lacks of* " *rupees.*"

Governor General's Opinion.

" That the *perpetual* and *independent* possession of " the zemindary of Benares and its dependencies, *be* " *confirmed and guaranteed to Rajah Cheyt Sing, and* " *his heirs for ever*; subject *only* to the annual pay- " ment of the revenue hitherto paid to the late " Vizier, amounting to rupees 23,71,656. 12, to be

" dis-

" difpofed of as expreffed in the following article; " *that no other demand* be made upon him, either by " the Nabob of Oude, or this government, *nor any* " *kind of authority or jurifdiction* exercifed by either, " within the dominions affigned him.

" 2d, That an equal partition be made of the re- " venue of the zemindary of Benares, between the " Company and the Nabob of Oude; that is to " fay, that the Rajah fhall pay monthly to each, " the fum of rupees 98,823. 2. 9; amounting on " the whole, to rupees 23,71, 656. 12, per an- " num; that this participation be expreffly declared " to be intended as a pledge and acknowledgement " of the equal relation in which the Rajah and " his fucceffors are hereafter to ftand to both go- " vernments."

The Governor General's obfervations upon his own propofitions, are as follow:

Obfervations on the Firft Propofition.

" The Rajah of Benares, from the fituation of his " country, *which is a frontier both to the provinces of* " *Oude and Bahar*, may be made a ferviceable ally to " the Company, whenever their affairs fhall require it. " He has always been confidered in this light, both by " the Company and the fucceffive members of the " late Council; but to infure his attachment to the " Company, his *intereft* muft be connected with it, " which cannot be better effected, than by freeing him " *totally* from the remains of his prefent vaffalage, un- " der the *guarantee* and *protection* of the Company; " and at the fame time *guarding him againft any appre-* " *henfions from this government*, BY THUS PLEDGING ITS " FAITH, *that no encroachments fhall ever be made on his* " *rights by the Company.*

E *Obferva-*

Obſervations on the Second Propoſition.

" I propoſe this article with ſome reluctance, as " contrary to my idea of the right of the Nabob of " Oude, in virtue of his agreement originally formed " between his father and the Company; but it is " conformable to the principle adopted by the Board, " in the reſolutions* paſſed this morning, and may, " perhaps, be obtained without much oppoſition from " the Nabob; at the ſame time that it contributes to " fix *the independency of the zemindary of Benares, on* " *the moſt permanent foundation.*"

Theſe various written opinions were ordered to lie for the conſideration of the Board.

Before it is ſtated what were the final reſolutions of the Board upon this important ſubject, it is neceſſary to remark, that the eſtabliſhing the *independency* of the Rajah of Benares (whether he was to hold his country under the ſovereignty of the Vizier, or the Company, or both) was a point in which there was no difference of opinion. It was a great political arrangement. A mere glance at the map will at once ſhew the wiſdom of ſuch a policy, and how much it was for the good of the Company, to bind the Rajah to their intereſts, on conditions that were *not to be altered or varied.*

That all theſe opinions might be duly weighed by every member, the Board did not reſume the conſideration of them till the 3d of March. In the intermediate ſpace, the Governor General and Council wrote to the Court of Directors on the 24th of February, that as the ſubject then under conſideration was " of great " magnitude and importance, they had choſen to en- " ter upon it in Council, *with all the deliberation which* " *it requires.*" " The ideas of the different mem-

* Which relate only to the Vizier.

" bers,"

"bers," (ſay they) "will appear in the conſultations "referred to in the margin; they are not given in "as concluſive opinions, but as ſentiments ſubject "to be canvaſſed, modified, and corrected, and tend-"ing only *to throw light on the ſubject*, before the final "determination of the Board; when that determina-"tion takes place, you ſhall be duly adviſed." Yet theſe opinions ſo deliberately given, and to which the attention of the Court of Directors is thus particularly drawn, even before they became final reſolutions, are interpreted by Mr. Haſtings, in his letter, as ex-preſſions "*unpremeditatedly uttered in the heat of party* "*contention* *." And the Board, in their ſubſequent letter to the Court, of the 24th March, ſay, "The "ſubject was agitated in Council with every degree "of *attention* and *circumſtantial diſcuſſion* which its con-"ſequence demanded."

On the 3d of March, 1775, as has been before obſerved, the Board reſumed the conſideration of the ſeparate minutes delivered in by each member on the 13th February. And, among other leading points, relative to the propoſed treaty with the young Vizier, the Governor General propoſed the following queſtion:

"Whether it ſhall be made a condition of the new "treaty, that Rajah Cheyt Sing ſhall exerciſe a *free and* "*independent authority in his dominions*, ſubject *only* to "the payment of his *tribute?*"

"*Mr. Francis*. Yes.

"*Mr. Barwell*. Yes.

"*Col. Monſon*. No, I think not; as I ſee no ad-"vantage in it for the Company's intereſt.

"*Gen. Clavering*. Provided he pays his *tribute* to

* Fol. 31.

" the Company, I think he ſhould be rendered *in-*
" *dependent.*

" *The Governor General.* Yes."

Here is a ſolemn reſolution of the Board, with only one diſſentient voice, that Rajah Cheyt Sing ſhould exerciſe a *free and independent authority* in his own dominions, ſubject *only to the payment of his tribute.* And on the 24th of the ſame month, the Board acquainted the Court of Directors with their having reſolved, " That the Rajah of Gauzipore ſhould be rendered " *totally independent*, and be left to exerciſe a free au- " thority in his own dominions, ſubject *only* to the " payment of his *tribute.*"

The general terms upon which Cheyt Sing was to hold his zemindary, whether under the ſovereignty of the Vizier, or the Company, or both, being thus ſettled, the next queſtion propoſed by the Governor General was as follows:

" Whether it ſhall be made an article in the treaty, " that, in conſideration of the engagements to be en- " tered into by this government, to guarantee the " poſſeſſions of the Nabob of Oude, as before reſolv- " ed, he ſhall cede and make over to the Company " the whole, or any part of the tribute due from the " zemindary of Gauzipore?"

And the ſeveral members of the Board having given their opinions thereon, it was reſolved, " That a de- " mand be made (of the Vizier) for the tribute of " Gauzipore, but that it be not conſidered an abſo- " ſolute and indiſpenſable article in the negotiation " with the Nabob.

On conſultation the 8th March, is entered another minute of Mr. Francis upon this buſineſs, in which is the following clauſe:

" In

" In agreeing to the propoſed *independency* of the
" Rajah of Benares, my meaning was to adhere ſtrict-
" ly to the 3d paragraph * of my minute of the 13th
" of February. The zemindary may be perpetuated
" in his family, on *fixed and unalterable conditions.* The
" conditions I propoſed tend to ſecure us a great ac-
" ceſſion of revenue, without any acceſſion of terri-
" tory. It is highly for his own advantage to be con-
" ſidered as a vaſſal of the ſovereign of theſe king-
" doms, holding a great hereditary fief by a *fixed*
" *tenure,* and acknowledging the Sovereign of Bengal
" and Bahar to be his Lord Paramount."

At length the new treaty with the Vizier was finally ſettled; by the 5th article of which the *ſovereignty of Benares, and its dependencies, was ceded in perpetuity to the Company.*

The ſovereignty of Benares being thus transferred to the Company, the Governor General, on the 12th June, 1775, laid before the Board the following minute and obſervations for their conſideration, with this preface:

" The ſovereignty of the zemindary of Benares,
" and its dependencies, having been ceded in perpe-
" tuity to the honourable Company, by the 5th arti-
" cle of the treaty lately formed with the Nabob Aſoph
" ul Dowlah, it becomes immediately neceſſary to de-
" termine in what manner this right ſhall be exerciſed,
" and the regular payment of the revenue due from
" the Rajah ſecured."

" The Governor General then moved, that this
" ſubject be taken into the conſideration of the Board;
" and ſubmits to their correction and approval, the
" following plan of ſettlement with Rajah Cheyt Sing,
" to be obſerved till the pleaſure of the Company re-
" ſpecting it ſhall be known; declaring his readineſs

* Vide page 20.

" to

" to acquiefe in any other which may be propofed, " on terms by which more effectual provifion may be " made for the intereft of the Company, *without an " encroachment on the juft rights of the Rajah, or the en- " gagements actually fubfifting with him.*"

Before the recital of the Governor General's plan of fettlement, it is neceffary to remark, that though the *fovereignty* of Cheyt Sing's territories was removed into other hands, yet his *known* and *eftablifhed rights* in thofe territories had undergone *no change whatever*. They are here acknowledged to exift in as full and complete a manner as when the Vizier was his fovereign, and the fubfifting engagements are allowed to remain in full force and virtue. The nature of thofe *juft rights*, and the actual extent of *thofe engagements*, here recognized by the Governor General, may be afcertained by the feveral inftruments already referred to, and by the conftruction put thereon by the Governor General, in his feveral interferences to prevent more being taken from the Rajah than the amount of his tribute.

But to proceed in the recital of the Governor General's propofitions, with his obfervations thereon.

PROPOSITIONS.	OBSERVATIONS.
" 1ft, That Rajah Cheyt Sing " fhall pay into the treafury of " the honourable Company at " Patna, in equal monthly pay- " ments, the yearly revenue of " 22,48,449 Sonaut rupees, being " the fum *fettled with the late Na- " bob Sujah Dowlah, and confirmed " by an agreement, executed by the " fame Nabob, in prefence of the " Prefident of the late Council of " Fort William, at Benares, under " date the* 6th *September*, 1773."	" There is no queftion that the " Rajah can well afford to pay this " proportion of the rents of his ze- " mindary; *which confifts of as rich " and well-cultivated a territory as " any diftrict, perhaps, of the fame " extent in India.*—The Company " have a clear and indifputable " right to this fum; nor is it likely " that he will either conteft it, or " defire any remiffion of it. Be- " fides, the other conditions pro- " pofed in this plan will virtually " prove

PROPOSITIONS.	OBSERVATIONS.
	" prove both an augmentation of " his means, and a diminution of " his real payments to Govern- " ment, as will be ſhewn in the " remarks on the laſt article. It " is propoſed to receive the pay- " ment of his rents at Patna, be- " cauſe that is the neareſt pro- " vincial ſtation, and becauſe it " would not fruſtrate the *inten-* " *tions of rendering the Rajah inde-* " *pendent.* If a Reſident was ap- " pointed to receive the money as " it became due, at Benares, ſuch " a Reſident would unavoidably " acquire an influence over the " Rajah, and over his country, " which would in effect render " him the maſter of both. This " conſequence might not, per- " haps, be brought completely to " paſs without a ſtruggle, and " many appeals to the Council, " which, in a government con- " ſtituted like this, cannot fail to " terminate againſt the Rajah; " and, by the conſtruction to " which his oppoſition to the " agent would be liable, might " eventually draw on him ſeverer " reſtrictions, and end in redu- " cing him to the mean and de- " praved ſtate of a mere zemin- " dar."
" 2d, That the Rajah ſhall be " empowered to exerciſe a com- " plete and uncontrolled authori- " ty over his zemindary, under " the acknowledged ſovereignty " of the Company; in the go- " vernment of the country depen- " dent	" 2d, The advantage which the " Rajah will receive from theſe " conceſſions, excluſive of the " gratification which his pride " would obtain *from the poſſeſſion* " *of a ſtate of power and dignity,* " *unknown to any of his anceſtors,* " and

PROPOSITIONS.

"dent on him; in the collection "of the revenues; and in the administration of justice,"

OBSERVATIONS.

"and the security of his person "and possessions, from the Company's protection, may be rated "equal to many lacks of rupees; "which, though saved to him, "are no loss to the government "on which he depends; being all "articles of invisible expence in "fees to the ministers and officers "of the Nabob; in the charges "of a double establishment of "vakeels to both governments; "in presents and charges of accommodation to the Nabob, "during his residence at any "place within the boundaries of "his zemindary; in the frauds, "embezzlements, and oppressions "exercised in the mint and cutwally, besides the allowed profits of those officers; and the "advantages which every man in "occasional power, or in the credit of it, might make of the Rajah's known weakness, and the "dread he stood in, both of the "displeasure of the Nabob, and "the ill-will of individuals among "the English, who were all considered, either in their present "stations or connections, or the "right of succession, as members "of the State of Bengal. It "would be scarce possible to enumerate all the inconveniences "to which the Rajah was liable "*in his former situation*; or to "estimate the precise effect which "they produced on his revenue, "and on the gross amount of his "expences; but it may be easily "con-

PROPOSITIONS.	OBSERVATIONS.
	"conceived, that both were enormous, and of a nature the most likely to lessen the profits of Government, instead of adding to them."
"3d, That sunnuds be granted to the Rajah, especially conferring upon him the power of appointing officers to the charge of the catwally, and the mint of Benares; the latter to be subject to such orders and regulations as the Governor General and Council shall at any time think it proper to decree."	"3d, These offices have been *considered as marks of sovereignty*; at least this has served for the pretext to withhold them from the Rajah, to whom they have been a heavy grievance. The catwally especially, which being held in farm, and exercised under the authority of a prince, who had no interest in the welfare or ease of the people, has always been represented, as in its obvious tendency it could scarce fail to prove, a source of the worst corruption and oppression, from which there was no appeal. If there be any weight in the plea for referring these prerogatives to the Company, the grant of them to the Rajah himself, by special sunnuds, will be a sufficient expression of their *sovereignty*; although the solemn renunciation of it, already made by the Nabob of Oude, is the best and most valid charter under which it can be claimed; and while they have three brigades, and a full treasury to assert it, there is no fear that their rights to it will be opposed by reasonings drawn from implied symbols of dominion. Some regulations will be immediately necessary for the mint, and others may

PROPOSITIONS. OBSERVATIONS.

"occasionally become so. No "alteration should be made in the "weight or alloy of the coin to "be debased, and the Rajah him-"self hold his right to the mint, "on condition of his faithful ob-"servance of these rules. By the "custom of Benares, all rupees "struck in the mint are called "Siccas, and pass as the current "coin of the country for one "year, after which they are "charged with a batta, varying "from 2 to $3\frac{1}{2}$ per cent. accord-"to their dates, and pass under "the denomination of sonauts, or "gawker shakees. It is in these "species that the rents are paya-"ble to Government; and while "they continue of equal and pro-"per qualities, they may be in-"troduced into circulation in the "province of Bahar, without loss "to the Company, and with an "advantage to the collections. "But the greatest care ought "therefore to be taken, that the "rupees be not debased; for if "they are, they will occasion a "double loss on the Company, "by the immediate discount on "them in the treasury, and by a "false currency introduced into "the revenue.

"4th, That in return for these "concessions, and for the perform-"ance of his duty as a vassal to "the Company, the Rajah shall "engage to maintain in constant "pay, and ready at all times for "immediate service, a body of "2000

"I rather propose this for *con-"sideration* than *recommend* it; "such a body of well-disciplined "and well-appointed cavalry will "give credit to the Rajah, and "may prove serviceable to this "Government, though the oc-"casions

PROPOSITIONS.

"2000 horſe, on ſuch a fixed "eſtabliſhment as ſhall be preſcribed by the Governor Gene "and Council; and that whenever the ſervice of this corps "ſhall be required by the Governor General and Council, it "ſhall be conſigned to the command of ſuch officer or officers "as they ſhall appoint, and be allowed from the Company an additional pay or gratuity of fifteen rupees per month, for each "private man, and in proportion "for the officers of the ſaid corps, "during the time of ſuch ſervice."

"5th, That while the Rajah "ſhall continue faithful to theſe "*engagements*, and *punctual* in his "payments, and ſhall pay due "obedience to the authority of "this Government, *no more demands ſhall be made upon him* "*by the honourable Company*, OF "ANY KIND, *or on any pretence* "*whatſoever* ſhall any perſon be "allowed to *interfere* with *his* "*authority*, *or diſturb the* peace *of* "*his country*."

OBSERVATIONS.

"caſions will rarely happen in "which we ſhall want it; the additional pay will make them "our own when we do want "them, and will be no great expence."

"The voluntary reſtraint laid "by Government on its own actions will afford the Rajah the "*greateſt confidence*, and naturally "inſpire him with ſentiments of "fidelity and attachment, both "from the principles of gratitude and ſelf-intereſt. Without "ſome ſuch appearance, he will "expect, with every change of "Government, *additional demands* "to be made upon him; and will, "of courſe, deſcend to all the "arts of intrigue and concealment practiſed by other dependent Rajahs, *which will keep* "*him indigent and weak, and eventually prove hurtful to the Company*. By proper encouragement and protection, he may "prove *a profitable dependent, a* "*uſeful barrier, and even a powerful ally* to the Company; but "he will be neither, if the *conditions*

OBSERVATIONS.

"*tions of his connection with the* "*Company are left open to* FUTURE "VARIATIONS."

The forgoing minute was ordered to be circulated to the members of the Board, for their more attentive perusal and deliberation.

On the 5th of July, the Board re-considered the Governor General's minute and plan proposed for a settlement with Rajah Cheyt Sing. The 1st, 2d, and 3d articles were, with some alterations, agreed to.

Upon the 4th article being read, several opinions were delivered in, of which the following are extracts:

Mr. Francis.—"I object to our *compelling* the Rajah "to keep up an extraordinary force for our service, "considering it in effect *as an increase of the tribute*; "which is contrary to the principles which have "guided my judgement from the first outset of this "negotiation."

Mr. Barwell.—"I am of opinion, that the Rajah "should keep up such a body of forces; but enter- "tain the same sentiments with Mr. Francis, respec- "ting its being an *enhancement of his tribute*, and of "any degree of *compulsion* to induce him to do it."

Colonel Monson.—"I am of opinion the Company "should receive the Rajah's assistance on the same "terms he gave it to the Vizier, or the present Na- "bob."

General Clavering.—"I would not *compel* the Rajah "to keep up any troops, but I would *recomemend* it to "him to maintain the number which the Governor "General has proposed."

Governor General.—"It was far from my intention "to propose *this* or *any other article* to be *imposed* on

the

" the Rajah by COMPULSION, I only propofed it as an
" article of fpeculation."

" Upon which the Board refolved, That it *be recom-*
" *mended* to Rajah Cheyt Sing to keep up a body of
" 2000 cavalry, to be difciplined after the European
" manner, but that there be no *obligation* on him to
" do it."

There was fuch a perfect unanimity in the Board refpecting the fifth article of the Governor General's propofitions, that all which is recorded refpecting it is in thefe few words:

" Read the fifth article; approved the propofition in this article."

But as this article is the moft material of the whole, a ready excufe will be made for repeating it in this place.

" Refolved, That while the Rajah fhall continue
" faithful to thefe engagements, and punctual in his
" payments, and fhall pay due obedience to the autho-
" rity of this government, *no more demands fhall be made*
" *upon him, by the honourable Company, of* ANY KIND;
" or on any pretence whatfoever fhall any perfon be
" allowed *to interfere* with his authority, or *to difturb*
" *the peace of his country.*"

Such were, in general, the terms on which Rajah Cheyt Sing was to hold his zemindary, and by a faithful adherence to which, on his part, the Company were bound to abide by them on theirs.

Some fubfequent arrangements were made for afcertaining the exact amount of his tribute, which was finally fettled at Sicca rupees 22,66,180, and the royalties of the mint, of the adminiftration of juftice, and of the police, were afterwards fettled upon him.

But Mr. Haftings is by no means willing to confent, that, in the examination of the rights and privileges

which

which were poſſeſſed by the Rajah, any reference ſhould be made to the inſtruments which paſſed between him and Sujah Dowlah in 1770, and to thoſe of 1773, between the Rajah, the Vizier, and the Company, previous to the ſovereignty of Benares being transferred to the latter; or to the opinions of the ſeveral members, and the reſolutions of the Board in conſequence, which were taken ſubſequent to ſuch transfer; or to the ſolemn declarations which were made to the Rajah on his inveſtiture. He wiſhes theſe to be buried in oblivion, and only deſires to apply to the deeds which paſſed in conſequence of thoſe reſolutions, and has accordingly pointed out the 9th and following pages of his narrative, printed in Calcutta, in which reference is made to the Sunnud, the Pottah, and the Cabooleat, dated the 15th of April, 1776.

But before we proceed to ſpeak of theſe deeds, every one would naturally ſuppoſe that they contained the ſubſtance of the Board's reſolutions, which were to ſerve as inſtructions to thoſe employed in preparing the deeds; otherwiſe the deliberations of the Board were a mere ſolemn mockery; or the ſunnuds might as well have been made out immediately on the treaty being concluded with Aſoph ul Dowlah, and the terms of theſe ſunnuds left for future diſcuſſion.

That it was at one time the intention of the Board to make the ſunnuds accord with their own reſolutions, as they ought to have done, appears evidently from the following minute of Council, 26th February, 1776.

" Ordered, That the Secretary do prepare a draft of " ſeparate ſunnuds for the zemindary and cutwalla of " Benares and Jaunpore, alſo of the mint of Benares, " in the uſual form, *expreſſing the conditions already re-* " *ſolved on, in the ſeveral proceedings of this Board.*" On the ſame day a letter was written to the Reſident, where-

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in, after mentioning the terms of the remittance of the Rajah's tribute to Calcutta, they inform him, " that " they have ordered proper ſunnuds to be prepared, " ſpecifying the above, *as well as the ſeveral other* " *conditions which have already been agreed to,* and ſhall " forward it to you to be delivered to the Rajah." And in their letter to the Court of Directors in the ſecret department of the 20th of the following month, they again explain the terms of the remittance, and ſay, " that a ſunnud for his (Cheyt Sing's) zemindary ſhall " be furniſhed him on theſe, *and the conditions before* " *agreed on.*"

It is therefore plain, not only from the reaſon of the thing, but from the Board's own ſenſe of the matter, that the written deeds ought to have contained the preciſe terms on which it was agreed that Cheyt Sing ſhould hold his zemindary; and the reſolutions of the Board, and the ſunnud, ſhould have been, as nearly as poſſible, counter-parts of each other.

Indeed it is confeſſed by one of the members of the Board (Mr. Francis), that " the terms which were ori- " ginally agreed to give the Rajah, *and which he con-* " *ſented to, were made the fundamental tenure by which he* " *held his zemindary.*"

Why, therefore, the deeds were not made conformable to the reſolutions; why they even fell ſhort of the ſunnuds granted to the Rajah by the Vizier, to which the Company was the guarantee, notwithſtanding the avowed policy of the Bengal government, to render him more independent than he was before, is difficult to conceive.

As the Governor General's narrative has been long ſince in the hands of the public, where the ſunnuds, &c. by which Cheyt Sing held his zemindary, are ſaid to be contained, it is neceſſary, in this place, to com-

pare

pare them with thofe held by the Rajah under the Vizier.

It has already been feen that Mr. Haftings was the guarantee of the former funnuds; and that upon the fovereignty of Benares being transferred to the Company it was clearly underftood, that in the future plan of fettlement with the Rajah, no encroachment was to be made *on* his *juft rights*, or *the engagements actually fubfifting with him*.

In the coulnama given by Sujah Dowlah, in 1773, are the following words: "*No increafe fhall ever after be demanded.*" In the funnud given by the Company, in 1776, *thefe words are omitted*.

In the pottah of 1773, is the following fentence; "By the favour of God, *there fhall never be any deviation in this agreement.*" In that of 1776, *this fentence is omitted*. And the Governor General's letter to Cheyt Sing, in 1773, concludes thus; "In the agreements before mentioned, *there fhall never be any breach or deviation.*" Whether there were any variations in the cabooleat, cannot be afcertained; for if, in 1773, Cheyt Sing executed fuch an inftrument, it is not entered on the records.

Having pointed out thefe variations, it is neceffary to anfwer an objection, that, to the uninformed, feems naturally to arife out of the fubject, viz. That though the fpirit of the feveral refolutions of the Board is not incorporated with the actual deeds, as it ought to have been; yet, as Cheyt Sing was ignorant of thofe refolutions, he was bound by the terms of the funnuds, after he had accepted them, notwithftanding their deviation from the genuine intent and meaning of the Council, as expreffed in thofe refolutions.

They who fuppofe that thefe refolutions were confined to the narrow limits of the Council Chamber; and

and that they remained locked up in the silent repositories of the other records, are much mistaken. Cheyt Sing was fully acquainted with them. And by whom? By the Governor General and Council themselves. For in their instructions to the Resident (Mr. Fowke) at the Rajah's Court, which were dated the 24th of August, 1775; not much above a month after the resolutions passed, are the following words, viz.

" It will be proper to assure the Rajah, *that we do* " *not mean to increase his tribute*, but to require from " him the *exact sum*.

" That under the acknowledged sovereignty of the " Company, we are determined to leave him *the free* " *and uncontrolled management of the internal government* " *of his country*, and the collection and regulation of " the revenues, *so long as he adheres to the terms of his* " *engagements; and will never demand any augmentation* " of the annual *tribute* which may be *fixed*.

" As we deem it very essential that the Rajah, for " the protection of his zemindary, should maintain a " body of regular troops, we would strongly *recommend* " to him the keeping in constant pay, and ready at all " times for service, 2000 horse, disciplined and clothed " after the European manner. *We cannot authorize you* " *to insist upon this article.* However, as it appears so " obvious for his own interest, we doubt not but he will " readily agree to it; and, it must be, left to his option " to keep up, or reduce his present military establishment " in consequence: and as an inducement we will " agree, whenever we may find occasion to call for the " assistance of this corps, or any part of it, *we will* " *pay a gratuity of* 15 *rupees per month for each private* " *man, and in proportion for the officers, during the time* " *that they may be in our employ.*"

But the Board were not satisfied with instructing their Resident to make the before-going representation; they resolved that a letter should be written by the Governor General himself, to Rajah Cheyt Sing, to be delivered to Mr. Fowke, the Resident, with his credentials.

The following is extracted from it.

"The Board being willing to continue the grant of "the zemindary to you, *in as full and ample a manner* "*as you possessed it from the former Sovereigns, and upon* "*the same terms, on your paying the annual tribute, &c.*"

This letter also mentions, that sunnuds for the grant of the mint and cutwally would be hereafter transmitted; and concludes, "the other sources from which "the Nabob of Oude drew a revenue, will also be "granted you, that you may possess *an uncontrolled and* "*free authority in the regulation and government of your* "*own zemindary.*"

It will plainly be seen, that these letters were written in the very spirit of the resolutions of the Board. Indeed, those resolutions were afterwards considered by Mr. Francis (Consultation 28th of September, 1778) as "*the voluntary and fundamental engagements of the go-*"*vernment itself.* This Board was already *bound to the* "*Rajah by certain acts of their own.*" But with regard to the original instruments which passed between the Rajah and the Company, it is impossible to say whether they did, or did not, accord with those resolutions.

The deeds which Mr. Hastings has produced in his narrative, are dated the 15th of April, 1776, and made out in consequence of the sovereignty of the mint and cutwally being vested in the Rajah; whereas the original ones for the zemindary were signed by the Board on the 4th of September, 1775, as appears by the following minute of Council on that day, made in consequence

ſequence of an information from the Secretary, that he had prepared the ſunnuds for Rajah Cheyt Sing.

" Agreed, That the ſunnuds, pottah, and coulnama, " be now ſigned and tranſmitted to Mr. Francis Fowke." And on the 20th of November following, the Court of Directors were acquainted, " that Rajah Cheyt Sing " had been inveſted with the *ſunnuds for his zemindary,* " *and a kellaut in all the proper forms.*"

Mr. Haſtings has complained to the Court, that at the point of the ſettlement their detail ſtops. The detail was neceſſarily ſtopped here; for the ſunnuds, &c. which paſſed upon the inveſtiture, are not entered upon the Company's records. And it is fair to ſuppoſe, that theſe inſtruments agreed exactly with thoſe which Cheyt Sing received from the Vizier in 1773; for in his letter to the Governor General, entered on the Perſian correſpondence of the 1ſt of October, 1775, he himſelf points out, that the kellaut, with which he was to be preſented on his new inveſtiture, *is not of the ſame kind as that which he received from the late Vizier on the like occaſion*; and in conſequence thereof, the Board, in their letter to the Reſident, of the 11th of October, " deſire him to make inquiry reſpecting the na- " ture of that kellaut, and *inveſt him with one of the ſame* " *ſort, on the part of this government, inſtead of that* " *which they formerly deſcribed to him.*"

The impoſſibility of the Court's referring to the original deeds which paſſed the ſettlement of the zemindary on Rajah Cheyt Sing being clearly ſhewn, as well as the probability that thoſe deeds were ſimilar to what he received from the Vizier; we ſhall proceed to obſerve on the new ſunnuds, which were paſſed ſeveral months after the ſettlement and inveſtiture in 1775.

On the 15th of April, 1776, the Secretary informed the Council, " that having prepared the ſunnuds and

 " pottah

"pottah for Rajah Cheyt Sing's zemindary, he begs "leave to lay them before the Board, with copy of an "obligation to be executed by him for the remittance "of his tribute;" the Board then signed the former, and ordered all three to be transmitted to the Rajah. These instruments Mr. Hastings has annexed to his narrative, and has referred to them in his letter.

But one material piece of information respecting them, Mr. Hastings has thought proper to withhold, viz. *That the Rajah declined the acceptance of the sunnud and pottah, and objected to the execution of the cabooleat.*

The Resident states to the Board the Rajah's objections to them, in his letter of the 17th of July, one of the principal of which was to the clause in the sunnud, and cabooleat, by which *the former sunnuds are declared to be null.*

The Rajah was sensible of his rights, and asserted them. The Board were not at this time disposed to infringe those rights; having, according to the Governor General's expression, "*A full Treasury* *;" but immediately (29th July) ordered the Secretary to prepare a new sunnud and pottah, *omitting the sentence declaring the former sunnuds to be null.* These deeds were delivered to the Rajah, and the others, which he objected to, as well as those originally delivered to him, were received back, and returned to the Presidency.

Notwithstanding the before-mentioned transaction, the Governor General has printed the sunnud of 15th of April, without the alteration; and the words, "*all "former sunnuds to become null and void,*" are suffered to remain in the instrument, which the Governor General has referred to as the *actual* agreement.

With regard to the cabooleat, on which Mr. Hastings has laid so much stress, it was not possible for the Court

* Vide page 36.

of

of Directors to gain any information from that, for it is no where entered upon the Company's records; and the Governor General's narrative is the only place in which it is to be found.

As it clearly appears that there were three sets of grants executed, though only one seems to have been necessary, and one only actually subsisting, it is proper here to recapitulate the various circumstances of these transactions. On the 24th of August, 1775, the Board ordered the necessary sunnuds to be prepared for Cheyt Sing's zemindary. On the 4th of September they were signed, though they are not entered on the Company's records. On the 24th of October the Rajah was invested with these sunnuds by the Resident, Mr. Fowke. And on the 20th of November the Court of Directors were acquainted, "*The Rajah Cheyt* "*Sing had been invested with the sunnuds for his zemin*-"*dary, and a kellaut, in all the proper forms.*" After the investiture, it was resolved, that the sovereignty of the mint and cutwally* should be vested in the Rajah. On the 22d of January, 1776, the Rajah requested of the Board, through the Resident at his Court, that he might be furnished with sunnuds, under their signature, for those offices. On the 30th of December, the precise amount of the Rajah's tribute was settled at rupees 22,66,180, with which the Board expected his acquiescence in consequence of the mint and cutwally being settled on him, "and from the "very great advantages he will derive by being thus "*secured in the free and independent government of his* "*country.*" On the 26th of February, the Resident expressed to the Board the Rajah's consent to the amount of the tribute as last settled. On which day the Board ordered the Secretary "to prepare a draught

* Administration of justice.

"of

"of *separate* sunnuds for the *zemindary* and *cutwally*;" also, "of the *mint*, in the usual form, *expressing the* "*conditions already resolved on in the several proceedings* "*of the Board.*" On the 15th of April the Board signed *one* sunnud and a pottah, (not *separate* sunnuds) in which sunnud the zemindary, the cutwally, and the mint, are included. A translation of the sunnud and pottah is entered upon the records, but not of the coulnama. The Rajah objected to the sunnud, on account of the clause, declaring all former sunnuds to be null and void. The Board, on the 29th of July, ordered new instruments to be made out, (which are likewise not entered upon the records) omitting those words. These instruments were transmitted to the Rajah, and delivered to him by the Resident, Mr. Fowke, who received back the former sunnuds, and returned those of September, 1775, and April, 1776, to the Presidency.

But it is not from the *letter* of the deeds of April, printed by the Governor General, supposing they had not been rejected by the Rajah, that a judgement on this important matter is to be formed. The *spirit* of them is to be attended to; *with a due regard to all the relative circumstances of the case*; —*to the minutes and resolutions of the Board*; —*to the declarations which were made to the Rajah in consequence of those resolutions*; —*and to the great political object of establishing a barrier for the security of the provinces in case of a future rupture with the Vizier.* In 1773, the Governor General was sensible that the *spirit* and *intention* of a treaty ought to be adhered to when he gave so liberal a construction, in the Rajah's favour, of the treaty which had been made between his father and the late Vizier, and in his several interferences, to prevent more being exacted from the Rajah than the amount of the tribute.

Having

Having thus shewn the relation in which Cheyt Sing stood to the Vizier, who settled on him and his heirs for ever the zemindary of Benares, *on certain fixed conditions*; and likewise the guarantee of the English, that those conditions should be adhered to on both sides; the subsequent agreement, *(acknowledging the former to be in full force)* which was made with him upon the sovereignty of the province being vested in the Company, *and the solemn assurances which were given to the Rajah, by the Supreme Council, in explanation of that agreement*, it is presumed every unprejudiced person must be of opinion, that the Court of Directors were warranted in resolving, " That Rajah Cheyt Sing was " confirmed by the Governor General and Council of " Bengal in the management of the said zemindary, " (subject to the sovereignty of the Company) on his " paying a certain tribute to the Company, which was " settled at rupees 22,66,180; and that the Bengal " Government pledged itself that the free and uncon- " trolled possession of the zemindary of Benares, and " its dependencies, should be confirmed and guaran- " teed to the Rajah and his heirs for ever, subject to " such tribute; and that no other demand should be " made upon him, nor any kind of authority or juris- " diction exercised within the dominions assigned him, " so long as he adhered to the terms of his engage- " ments."

The grounds of the preceding resolution of the Court of Directors having been thus established, and it having been proved that the conditions upon which Rajah Cheyt Sing held his zemindary were fixed and unalterable, it is necessary, in the next, place to shew what was the conduct of the Governor General and Council to the Rajah, previous to Mr. Hastings' last visit to Benares in 1781.

On

On the 9th of July, 1778, the Board resolved, "That Rajah Cheyt Sing be required, in form, to "contribute his share of the burden of the present "war (with France) by the establishment of three re-"gular battalions of sepoys, to be raised and main-"tained *at his expence*."

Notwithstanding this was, both in the *letter* and *spi-rit* of the former resolutions of the Council, a direct breach of the agreement, yet the Rajah quietly submitted himself, and authorised his vackeel to declare his acquiescence, *for one year only*, in the requisition of a subsidy, equal to the expence of three battalions of sepoys. This subsidy was accordingly fixed by the Board at five lacks of rupees; and the Governor General expressed himself pleased with the Rajah's ready compliance, in a letter to him under date of the 15th of August; and on the 17th the Governor General and Council informed the Court of Directors, that the Rajah had agreed to pay this subsidy *for one year*. But on the Rajah's pleading his inability to pay the whole sum at once, so little ceremony was used with him on the occasion, and so much were all former agreements forgotten, that, on the 28th of September, directions were given to the Resident, Mr. Graham, "to wait "on the Rajah forthwith, and *demand of him*, in per-"son, and by writing, the payment of the full sum "of five lacks of Muchildar rupees, the sum at which "the subsidy is fixed, in specie, to that amount, to "be made to you within five days of such demand; "and declare to him, *in the name of this Government*, "that his *evading* or *neglecting* to accomplish the pay-"ment thereof, within that space of time, shall be "deemed equivalent to an absolute refusal; and in "case of his non-compliance with your demand, we

"perem-

" peremptorily enjoin you *to refrain from all farther in-* " *tercourse with him.*"

The Rajah completed this payment by the 10th of October.

It must be remarked in this place, that though this extra demand was contrary to the existing engagements, yet as the Rajah consented to the payment thereof, *for one year only*, it was, in a measure, legalised. — And it really seemed at one time to have been the intention of Mr. Hastings to abide by this condition, as appears from the following circumstance: On the 5th of May, 1779, the Resident at Benares wrote to the Board, that being applied to by the Provincial Council of Revenue at Patna for eight lacks of rupees, on account of their very urgent necessities, he desired the Rajah to supply him with that sum, beyond the amount of what was then due. In their reply to the Resident on the 31st, the Board express their surprise at his " having ven- " tured to make a demand upon Rajah Cheyt Sing, " *not warranted by his engagements with the Company*, " and without any authority from us." The Resident's answer of the 10th of June following is worthy of particular attention. " At the time I mentioned to Rajah " Cheyt Sing the sum of money Government stood in " need of in their present occasions, I was well aware " that I could neither, *consistent with your honourable* " *Board's orders, nor his engagements with the Company*, " demand more of him than was thereby authorised; " and therefore it was I only *demanded* payment of the " amount of his kist due the 4th of May, and left it " to his *discretion*, upon the information given, whe- " ther to *lend* farther assistance or *not*."

Though the condition of his compliance with the demand of 1778 was, *that it should not be drawn into a precedent*, yet, on the 19th of July, 1779, the Rajah

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was again required to contribute the farther ſum of five lacks for the enſuing year; and on the 22d of June, 1780, five lacks more; and on the 2d of November following, he was required to furniſh part of his cavalry.

On the 18th of July, the very day preceding the reſolution of the Board to demand an additional five lacks for the year 1779, Mr. Haſtings received a letter from the Rajah, ſaying, that his ſole reliance was on him, "and that in every inſtance I depend on your "*faith*, *religion*, *promiſes*, and *actions*."

After he had come to the knowledge of this demand, the Rajah wrote to the Governor General as follows: "Laſt year you directed Sheik Ally Nuckey * that I "ſhould, *by any means*, *by diſpoſing of my effects*, or by "*borrowing*, make *this one payment*, (alluding to the "demand of 1778) *and I ſhould not be called upon in fu-* "*ture*; and that you would take every means for my "advantage and ſupport. I accordingly put in prac- "tice every method in my power, and, by loans, "made good the requiſition. It is now abſolutely "out of my power to raiſe the ſum required; and I "am therefore hopeful that you will be kindly pleaſed "to excuſe me the five lacks now demanded, *and that* "*nothing may be demanded of me beyond the amount ex-* "*preſſed in the pottah.*"

This letter was received on the 27th of Auguſt. On the 28th the Governor General replied to it; and, without taking the ſmalleſt notice of the Rajah having charged him *with a breach of promiſe*, he ſays, "I now "repeat my demand, that you do, on the receipt of "this, *without evaſion or delay*, pay the five lacks of "rupees into the hands of Mr. Thomas Graham, who "has orders to receive it from you, and authority,

* His vackeel.

"in

" in case of your refusal, to summon the two batta-
" lions of sepoys, under the command of Major Ca-
" mac, to Benares, that measures may be taken *to*
" *oblige you to a compliance*; and, in this case, *the whole*
" *expence of this corps from the time of its march will*
" *fall on you.*"

The Rajah, notwithstanding the positive terms of the last-recited letter, was yet unwilling to believe, that the "*faith, religion, promises,* and *actions,*" on which he had placed so much dependence, would all of them prove of no avail. He accordingly addressed another letter to Mr. Hastings, which was received the 20th of September, and of which the following is a copy:

" Every two or three days I am called upon to pay
" five lacks of rupees; your gracious letter on this
" subject, honoured me by its arrival; I have dis-
" patched an arzee in answer, which will have been
" presented to you. In obedience to your order, I last
" year, by every means, and borrowing from all quar-
" ters, raised the sum; and at that time *you promised*
" *that it should not happen again.* I have it not in my
" power at present. You have before honoured me
" with the title of son, and, regarding me as your
" son, you have protected me; I am therefore hope-
" ful, *that I may be excused from this requisition.*"

Here the Governor General is again charged *with a direct breach of promise to the Rajah.* Mr. Hastings replied to this on the 25th, repeating the threat of sending troops into his country, but taking no notice as before, of the repeated charge of having broken his word with the Rajah.

Thus upon the Rajah's declaring his inability to comply with the demand of 1779, and pleading the *promise of exemption,* two battalions of sepoys were or-

dered to march to Benares, to intimidate him; and the Board inſiſted on his paying the expence of the troops thus ſent to ſecond their demand. And on their requiring the balance of the ſubſidy in October 1780, the Governor General and Council, not only again ordered troops to march into his territories, *but they threatened him with a fine of one lack for diſobedience.*

Whoever ſeriouſly conſiders the agreement made between Cheyt Sing and the Vizier in 1770; the nature of the ſubſequent connection between the Rajah, the Vizier, and the Company, formed in 1773, as before deſcribed; the force of the minutes and reſolutions of the Board upon the ſovereignty of Benares, being transferred to the Company, as above recited; the ſolemn declarations which were made to the Rajah on his inveſtiture, as contained in the inſtructions to the Reſident at his Court, and in the Governor General's letter to him upon that occaſion, which have been already referred to; the line of policy which the Bengal government had preſcribed to itſelf; and the general tenure by which Cheyt Sing held his country.—Whoever ſeriouſly conſiders all theſe points, with their relation to each other, muſt be convinced, that the various demands thus made upon the Rajah were not founded in *juſtice*; nor are they to be defended by any arguments drawn from the wants and neceſſities of a government involved in difficulties, or the reputed wealth and proſperity of the Rajah.

Obliging the Rajah to pay an additional ſubſidy of five lacks for the expence of three battalions of ſepoys, could only be juſtified upon the plea, that by the original agreement he was to maintain a body of 2000 horſe. But it has been ſhewn, that the Board refuſed to aſſent to this propoſition; they left it entirely *optional* in the Rajah; and if, at any time, they needed

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the aſſiſtance of this force, he was to be paid at the rate of fifteen rupees per month, per man; and ſo in proportion for the officers, during the time they might be in the Company's employ.

One of the members of the Board (Mr. Francis) declares, in his minute of the 14th of September 1778, "That he did, from the firſt, expreſs a doubt, "whether the Board had ſtrictly a right to increaſe "their demands upon the Rajah, beyond the terms "which they originally agreed to give him, which "he conſented to, and which, as Mr. Francis "has conſtantly underſtood it, were made *the fun-* "*damental tenure by which he held his zemindary.* If "ſuch demands can be increaſed upon him at the "diſcretion of the ſuperior power, *he has no rights,* "*he has no property,* or at leaſt he has *no ſecurity* "*for either.* Inſtead of five lacks, *let us demand* "*fifty*: and whether he *refuſes,* or is *unable* to pay "the money, the forfeiture of his zemindary may "be the immediate conſequence of it, unleſs he "can find means to redeem himſelf by a new "Treaty."

There was but too much of a prophetic ſpirit in this minute of Mr. Francis; for notwithſtanding in the credentials given to the Governor General in Council (conſiſting only of himſelf and Mr. Wheler) the 3d July 1781, previous to his ſetting out on his intended journey to Benares, the Arrangements he was to make in that province, were to be "*conſonant to the mutual* "*relation and actual engagements ſubſiſting between the* "*Company and the Rajah.*" It appears from the evidence of Mr. Wheler, that Mr. Haſtings had actually come to the ſecret reſolution (for it is no where entered on the records) without the ſmalleſt regard to that relation, *and to thoſe Engagements, of obtaining* 40

or

or 50 *lacks of rupees from this very Rajah*; *and in case of his refusal*, he determined " either* to remove " him from his zemindary entirely, or, by taking im- " mediate possession of all his forts, to obtain out of " the treasure, deposited in them, the above sum for " the Company."

This † is farther corroborated by the affidavit of Major Palmer, the Governor General's military secretary, with this additional circumstance; that by some means or other the Rajah, having heard of the Governor General's intentions, *had made him an offer of* 20 *lacks of rupees for the public service*; " but that " he, the Governor General, *was resolved to insist upon* " *the first-mentioned sum of* 50 *lacks of rupees*; and if the " Rajah should absolutely refuse the demand, that he, " the Governor General, *would deprive him of his ze-* " *mindary, or transfer the sovereignty thereof to the Na-* " *bob Vizier*."

It is said, that the " Governor General thought the " Rajah's offences were such as to require early pu- " nishment; and as *his wealth was great, and the Com-* " *pany's exigencies pressing*, it was thought a measure " of *policy* and *justice*, to exact from him a large pe- " cuniary mulct for their relief ‡."

But how different were Mr. Hastings' ideas of policy and justice at a former period, which has been already referred to, when he would not suffer the Vizier to " dispossess the Rajah of the forts of Luteef- " gur and Bidgygur, and take from him 10 lacks " of rupees!" At that time the Governor General was convinced " that the Rajah's *inheritance*,

* Vide Governor General's printed Narrative, p. 13.

† Narrative, Appendix, 157.

‡ Narrative, page 13.

" and

" and perhaps his *life*, were no longer safe than while
" he enjoyed the *Company's protection*, which (says the
" Governor General) is his due by the *ties* of *justice*
" and the obligations of *public faith*; and which
" *policy* enjoins us to afford him ever most effec-
" tually."

Thus, in 1773, the natural sovereign of Rajah Cheyt Sing is prevented from taking from him two forts and 10 lacks of Rupees *above the stipulated rent*, through motives of *justice* and *policy*; and in 1781, after the sovereignty had been transferred, though with a reservation of the " just rights of the Rajah" under the former sovereign, *justice* and *policy* required, that his new sovereign should exact from him, 40 or 50 lacks of rupees *more than his rent*, or wrest from him the *whole of his zemindary!*

If *justice* and *policy* were to be the guide of Mr. Hastings' actions upon this occasion, they ought to have operated more strongly than ever in the Rajah's *favour*. As to the first, were we not bound to him by additional obligations? And as to the last, it was surely become more our interest to cement his attachment by gentle treatment, than when he was only an *ally*. For in his new situation, had he been, on any future rupture with the Nabob of Oude, from ill usage, induced to take part against us, we should not only have lost the benefit of his alliance, but also a clear annual revenue of upwards of £.260,000 *per annum*.

But wherein did the Rajah's *delinquency* consist? Not in his want of punctuality in the payment of his tribute; this has never been affirmed. It must consist, then, in his not complying with the repeated demands of the Board for a subsidy, contrary to the existing engagements. Let it be admitted that the Rajah discharged these with that reluctance which ever at-

tends

tends the liquidation of unwarrantable demands, yet there was nothing due on any of these new demands for months preceding the Governor General's journey to Benares.

The demand of 1778, was made in July, and wholly discharged by the 10th of October.

That of 1779, was likewise made in July, and discharged by the 21st of October; and in November the Rajah, paid 20,000 rupees for the expence of the detachment *sent to enforce this demand.*

The demand of 1780 was discharged by the 18th of October; and whoever reads the charges brought against the Rajah, as contained in the Governor General's first letter to him, after his arrival at Benares, which is printed in the narrative, must be convinced, that they were clearly refuted by the Rajah's answer.

As to the third resolution of the Court of Directors, it was merely a resolution of fact, founded on the proceedings of the Bengal government, in July, 1775, and went to shew the independency of the Rajah's situation. The following passage, therefore, in the Governor General's letter, seems utterly unintelligible.

"I deny that I ever required him to keep up a body "of 2000 horse, contrary to the declaration made to "him by the Governor General and Council, on the "5th of July 1775, that there shall be no obligation "on him to do it."

It is equally unnecessary to remark on Mr. Hastings' denial, respecting the 4th resolution. This is likewise a resolution of fact, that the Rajah was regular in the payment of his tribute, and what is not denied by the Governor General. The Court have acknowledged the sovereignty of the Company over the Rajah

Rajah in their 2d resolution. But, that the Governor General and Council had a right to issue any orders *in direct violation of the actual agreement subsisting with the Rajah*, no one who seriously considers the nature of that agreement, in all its circumstances, will venture to assert.

But with respect to the last resolution of the Court of Directors, every one must join issue with the Governor General, and agree, that from the premises which "have been already established, in the former part of these observations, "the terms *improper*, *unwarrant-*" *able*, and *highly impolitic*, are much too gentle. *The* " *strict performance of solemn engagements on one part*, " *followed by acts directly subversive of them*, and by " *total dispossession on the other, stamps on the perpetrators* " *of the latter, the guilt of the greatest possible violation* " *of faith and justice*."

The observations on what has fallen from Mr. Hastings, respecting the resolution of the Court of Directors last spoken of, must not be dismissed without a remark on the following passage in the Governor General's letter:

"I deny that Rajah Cheyt Sing was a native Prince " of India. Cheyt Sing is the son of a collector of the " revenue of that province, which his arts, and the " misfortunes of his master, enabled him to convert " to a permanent and hereditary possession."

Though it is no where asserted in the resolutions of the Court of Directors, that Cheyt Sing was a native Prince of India, yet it may not be improper to observe, that, with regard to Cheyt Sing's predecessor, Bulwant Sing, who is here called "*a collector*," it has already been shewn, that for the powerful military assistance which he afforded the Company in the war with Sujah Dowlah, Mr. Hastings was, in 1773, em-

 powered

powered to renew, in behalf of Rajah Cheyt Sing, the ſtipulation which was formerly made with the Vizier in favour of the father. And in a letter from Rajah Shitabroy, which is entered upon the Bengal conſultation of the 21ſt of November, 1764, Bulwant Sing is called, a "*perſon of high rank, and the zemindar of a* "*frontier country.*"

With reſpect to Cheyt Sing, Mr. Haſtings himſelf has called the zemindary "*his inheritance.*" In the inſtrument printed by the Governor General, 15th of April, 1776, he is termed, "*the great chief Rajah* "*Cheyt Sing Behadre.*" By the inſtructions to the Reſident at Benares, of the 24th of Auguſt, 1775, he was to be inveſted "with a kellaut *in his palace*, with "all the uſual formalities." And by the Reſident's account of this matter, the ceremony was performed in all the parade of eaſtern magnificence. But here another, and a more ſtriking circumſtance, may be added in proof of the Rajah's elevated ſituation. On the 24th of November, 1775, Lieutenant-colonel Parker, who had the command of a brigade in the neighbourhood of Benares, acquainted General Clavering, that the Rajah had paid him a viſit, and had made him preſents, which, ſays he, "I did not reject, as it "would be looked upon as the greateſt ſlight I could "offer to an *eaſtern Prince.*" This letter was laid before the Council on the 6th of December. And ſo far was Mr. Haſtings from being diſpoſed, at that time, to diſpute the rank which Mr. Parker thought he had among the Princes of Hindoſtan, that he immediately gave it as his opinion, "That neither the Rajah ought "to have made the preſents, nor Colonel Parker ac-"cepted them, becauſe they were the pledges and "marks of *inferiority* of the giver to the *receiver*; "and I think it will become both the *juſtice* and *dig-*

"*nity*

" *nity* of this Board, to lay down ſuch rules as ſhall " prevent the Rajah hereafter from ſubjecting him- " ſelf, or being ſubjected to ceremonies *unbecoming his* " *rank and character*." Upon which the Board re- " ſolved, that the Rajah ſhould pay the firſt viſit to none but the Governor General, the Chief Juſtice, and the members of the Board.

Such as are ſtill doubtful of Cheyt Sing's elevated ſtation, are referred to the 33d and 34th pages of Mr. Haſtings' printed letter, where there is as ſtrong an implication of his princely rank, as it is poſſible for words to convey.

With the ſame view of lowering, in the eyes of the public, the real ſtandard of Cheyt Sing's ſituation, the Governor General ſays, in his printed narrative, " I " ſuſpect that the deeds which paſſed between him and " the Board, on the transfer of the zemindary to the " Company in 1775, are by many underſtood to bear " the quality and force of *a treaty of optional conditions* " between equal ſtates. To ſuch I reply, that ſuch " an opinion is itſelf criminal to the ſtate of which he " was a ſubject; and that he was himſelf amenable to " its juſtice, if he countenanced the belief. He paid " no *tribute* to the Company, but a fixed annual *rent*. " And the inſtruments for his zemindary were drawn " *preciſely* in the ſame form as inſtruments of the ſame " denominations interchanged with the *zemindars of* " *Bengal*."

As to the annual ſum which the Rajah was to pay on account of his zemindary not being to be conſidered in the light of a tribute, it is termed ſo, with very few exceptions, from one end of the records to the other; in moſt of the letters from the Council to the Court of Directors, which ſpeak of the ſubject, and even in the

Governor General's own letter to the Rajah on his inveſtiture.

With regard to his being looked upon as a mere *zemindar*, the Reſident at the Court of the Vizier, in a letter written to the Board the 14th of April, 1775, which was previous to the ſovereignty of Benares being veſted in the Company, declared to his Excellency, "That "he muſt expect to ſee Cheyt Sing protected; for that "he was not to be put *on a footing with his other ze-"mindars*." And in a letter from the Board to the Reſident at Benares, the 30th of May, 1776, it is acknowledged, "That he is on *a very different footing* from "other zemindars."

But a peruſal of the following minute of the Board will put the matter beyond diſpute.

Conſultation, September 4, 1775.

"The Secretary informs the Board, that the ſun-"nuds for the Rajah Cheyt Sing being prepared, he "circulated the following propoſal of the Governor "General for their opinion:

"The Governor General directs me to requeſt the "opinion of the Board, whether the pottah, ſunnud, "and coulnama, for the zemindary granted to Rajah "Cheyt Sing, ſhould be ſigned by him alone, or by the "Board; remarking, at the ſame time, that it has been "cuſtomary for *duanny ſunnuds* to receive only the ſig-"ture of the Governor; but he thinks, that as the "*nature* of the preſent grant is *different*, and may be "conſidered more in the light of a TREATY, they "ſhould be ſigned by the Board."

"Agreed, that the ſunnud, pottah, and coulnama, "be now ſigned, and tranſmitted to Mr. Francis "Fowke."

But to ſum up the whole in a few words:—In 1765 Bulwant Sing, on account of military ſervices rendered

to

to the Company, was, through their means, ſecured in the poſſeſſion of his country. In 1770 Cheyt Sing, his ſon and ſucceſſor, was confirmed in the government of his father's territories, on paying a fixed tribute, by a treaty executed by the Vizier, declaring the terms of it to extend to the *poſterity of either party*; under which treaty Mr. Haſtings, from motives of juſtice and policy, would not ſuffer the Vizier to take from the Rajah more than the ſtipulated ſum. In 1773 the former agreement was renewed between the parties, which, as before, was to extend to *their reſpective heirs*. To this agreement Mr. Haſtings, on the part of the Britiſh Government, was the guarantee. In 1775 the ſovereignty of Benares was transferred to the Company; and with a reſervation of the juſt rights of the Rajah, and a due regard to the actual engagements ſubſiſting with him, new ſunnuds were iſſued in conſequence of ſundry reſolutions of the Bengal Council, adopted with a view to the Rajah's independency, thereby eſtabliſhing a ſtrong barrier to the Company's provinces. Aſſurances were at the ſame time given to the Rajah, that no demands of any kind ſhould be made upon him beyond his tribute, and that no one ſhould be ſuffered to diſturb the peace of his country. In 1778, regardleſs of former aſſurances, and in direct oppoſition to the eſtabliſhed policy, an additional demand was made upon him of five lacks of rupees, on account of the war with France. In 1779, notwithſtanding his conſent was for one year only, and his inſiſting that he had a promiſe from Mr. Haſtings, that it ſhould not be repeated, and which was not contradicted by him, another demand was made for five lacks more, and troops were ordered into his territories to enforce this demand; the expence of which he was obliged to defray. In 1780 the demand was repeated; and notwithſtanding the Rajah

had

had actually discharged all these extra demands, and was ever punctual in the payment of his settled tribute; yet in 1781 Mr. Hastings repaired to his capital, with an avowed intention to exact from him the enormous um of fifty lacks of rupees, (though the Rajah, hearing of his intention, had previously made him an offer of twenty lacks,) and in case of his refusal, to dispossess him of his zemindary. He was arrested in his palace at Benares, a city held in the highest veneration throughout India. His own soldiers overpowered the party which guarded him, and in the confusion "the Rajah "found means to escape through a wicket, which "opened to the river, and the banks being exceedingly "steep in that place, he let himself down by turbans "tied together, into a boat which was waiting for "him, and conveyed him to the opposite shore *." Several actions afterwards took place between the troops of the Company and those of the Rajah; and his several forts, to which he had fled for protection, were successively captured by our forces. And as (according to Mr. Hastings) "the existence of a fugitive chief in "the wilds and mountains would be little regarded, "*when he was expelled from the capital of his government,* "*and the seat of his collections* †;" he was proscribed by public proclamation; the ‡ Rauge was conferred on the grandson of Rajah Bulwant Sing, by a daughter married to Bauboo Doorgbejey Sing, and the unfortunate Rajah Cheyt Sing *(a wretch* § *indeed!)* is now a wanderer in Hindostan!

It only remains to observe, on the conclusion of Mr. Hastings' letter, where, in the same spirit of disobedience to the orders of the Company which has too long characterized his government, he declares his intended

* Governor General's narrative, page 24. † Ditto, page 46.
‡ Ditto, page 51. § Vide Governor General's Letter, page 33.

opposition

oppoſition to any directions which may be given him for the reſtoration of Rajah Cheyt Sing to the zemindary of Benares.

Whether ſuch a meaſure be expedient or not, will probably be the ſubject of future conſideration. And as the Company's affairs are now under the inveſtigation of Parliament, it muſt be the wiſh of every one, that ſuch regulations may be formed, and ſuch fundamental principles eſtabliſhed, for the future government of the Company, as will enſure to the natives of India, of all denominations, that ſecurity and happineſs which they have a right to enjoy under the influence of the mild and equitable ſpirit of the Britiſh Government.

Extract of Court's Letter to Bengal, dated the 28th of January, 1784.

Par. 7. WE muſt not ſuffer the Governor General's letter, relative to our reſolutions about Cheyt Sing, to be paſſed over in ſilence, wearing, as it does, the appearance of animadverſions on the conduct of his ſuperiors, not to be juſtified in his ſituation.

8. The Court of Directors have not only an undoubted right, but their duty calls upon them to condemn any meaſure that ſhall appear of a dangerous tendency; the conduct towards Cheyt Sing was, in their eye, liable to deſtroy *that* confidence ſo neceſſary to be preſerved with the country powers; the Court therefore hoped, by their marked diſapprobation, to prevent any ſteps of the like kind in future. After the reſiſtance which the Rajah had made, no countenance could be

conſiſtently

consistently shewn him; nor was any measure for his restoration ever proposed. But whilst the Governor General remains subject to the orders of the Court of Directors, he is bound to yield to their decrees. Therefore as his letter, addressing them with such unguarded warmth, must carry with it the appearance of tending to resist those whom it is his duty to obey, we consider him in that respect to have been very blameable. However, we turn aside from this disagreeable subject, to express great approbation at the extraordinary exertions of our Governor General and Council to counteract the designs of our numerous enemies, and to furnish such large assistance and supplies for the Carnatic in its wasted and desolate condition. It is to the abilities of our Commander in Chief, whose loss we sincerely lament, aided by your vigilance and support, we owe the preservation of that country, as the powerful irruptions of Hyder, and the hostile measures of France, had disabled our Governor and Council of Fort St. George from defending the possessions of our ally, the Nabob of Arcot.

To William Devaynes, Esq. Chairman of the Honourable the Court of Directors.

SIR,

THE honourable Court of Directors, in their general letter to Bengal by the Surprise, dated the 16th of March, 1784, were pleased to express their desire that I should inform them of the periods when each sum of the presents, mentioned in my address of the 22d of May, 1782, was received, what were my motives for withholding the several receipts from the knowledge of the Council, or of the Court of Directors, and what were my reasons for taking bonds for part of these sums, and for paying other sums into the Treasury as deposits on my own account.

I have been kindly apprised, that the information required as above is yet expected from me. I hope that the circumstances of my past situation, when considered, will plead my excuse for having thus long withheld it. The fact is, that I was not at the Presidency when the Surprise arrived; and when I returned to it, my time and attention were so entirely engrossed, to the day of my final departure from it, by a variety of other more important occupations, of which, Sir, I may safely appeal to your testimony, grounded on the large portion, contributed by myself, of the volumes which compose our consultations of that period, that the submission which my respect would have enjoined me to pay to the command imposed on me, was lost to my recollection, perhaps from the stronger impression, which the first and distant perusal of it had left on my mind, that it was rather intended as a reprehension for something which had given offence in my report of the original transaction, than as expressive of any want of a farther elucidation of it.

I will now endeavour to reply to the different questions which have been stated to me in as explicit a manner as I am able. To such information as I can give, the honourable Court is fully entitled; and where that shall prove defective, I will point out the easy means by which it may be rendered more complete.

First, I believe I can affirm with certainty, that the several sums mentioned in the account transmitted with my letter above mentioned, were received at, or within a very few days of the dates which are prefixed to them in the account; but as this contains only the gross sums, and each of these was received in different payments, though at no great distance of time, I cannot therefore assign a greater degree of accuracy to the account. Perhaps the honourable Court will judge this

ſufficient for any purpoſe to which their inquiry was directed; but if it ſhould not be ſo, I will beg leave to refer, for a more minute information, and for the means of making any inveſtigation which they may think it proper to direct, reſpecting the particulars of this tranſaction, to Mr. Larkins, your accountant general, who was privy to every proceſs of it, and poſſeſſes, as I believe, the original paper, which contained the only account that I ever kept of it. In this each receipt was, as I recollect, ſpecifically inſerted, with the name of the perſon by whom it was made; and I ſhall write to him, to deſire that he will furniſh you with the paper itſelf, if it is ſtill in being, and in his hands, or with whatever he can diſtinctly recollect concerning it.

For my motives for withholding the ſeveral receipts from the knowledge of the Council, or of the Court of Directors, and for taking bonds for part of theſe ſums, and paying others into the Treaſury as depoſits on my own account, I have generally accounted in my letter to the Honourable the Court of Directors, of the 22d May 1782; namely, that "I either "choſe to conceal the firſt receipts from public curioſity, by "receiving bonds for the amount, or poſſibly acted without "any ſtudied deſign, which my memory at that diſtance of "time could verify; and that I did not think it worth my "care to obſerve the ſame means with the reſt."—It will not be expected, that I ſhould be able to give a more correct explanation of my intentions, after a lapſe of three years, having declared at the time, that many particulars had eſcaped my remembrance: neither ſhall I attempt to add more than the clearer affirmation of the facts implied in that report of them, and ſuch inferences as neceſſarily, or with a ſtrong probability follow them. I have ſaid, that the three firſt ſums of the account were paid into the Company's treaſury without paſſing through my hands: the ſecond of theſe was forced into notice by its deſtination and application to the expence of a detachment, which was formed and employed againſt Madhejee Scindia, under the command of Lieutenant-colonel Carnac, as I particularly appriſed the Court of Directors, in my letter of the 29th of December, 1780. The other two were certainly not intended, when I received them, to be made public, though intended for public ſervice, and actually applied to it. The exigencies of the government were at that time my own, and every preſſure upon it reſted with its full weight upon my mind. Wherever I could find allowable means of relieving thoſe wants I eagerly ſeized them; but neither could it occur to me as neceſſary to ſtate on our proceedings every little aid which I could thus procure, nor do I know how I could have ſtated it, without appearing to court favour by an oſtentation which I diſdained, nor without the chance of exciting the jealouſy of my colleagues, by the conſtructive

aſſertion

assertion of a separate and unparticipated merit, derived from the influence of my station, to which they might have laid an equal claim. I should have deemed it particularly dishonourable, to receive for my own use, money tendered by men of a certain class, from whom I had interdicted the receipt of presents to my inferiors, and bound them by oath not to receive them. I was therefore more than ordinarily cautious, to avoid the suspicion of it, which would scarcely have failed to light upon me, had I suffered the money to be brought directly to my own house, or to that of any person known to be in trust for me; for these reasons I caused it to be transported immediately to the treasury. There, I well know, Sir, it could not be received without being passed to some credit, and this could only be done by entering it as a loan or as a deposit; the first was the least liable to reflection, and therefore I had obviously recourse to it. Why the second sum was entered as a deposit, I am utterly ignorant; possibly it was done without any special direction from me; possibly because it was the simplest mode of entry, and therefore preferred, as the transaction itself did not require concealment, having been already avowed.

Although I am firmly persuaded that these were my sentiments on the occasion, yet I will not affirm that they were. Though I feel their impression as the remains of a series of thoughts retained on my memory, I am not certain that they may not have been produced by subsequent reflection on the principal fact, combining with it the probable motives of it. Of this I am certain, that it was my design originally to have concealed the receipt of all the sums, except the second, even from the knowledge of the Court of Directors. They had answered my purpose of public utility, and I had almost totally dismissed them from my remembrance. But when fortune threw a sum in my way, of a magnitude which could not be concealed, and the peculiar delicacy of my situation, at the time in which I received it, made me more circumspect of appearances, I chose to apprise my employers of it; which I did hastily and generally; hastily, perhaps to prevent the vigilance and activity of secret calumny; and generally, because I knew not the exact amount of the sum of which I was in the receipt, but not in the full possession. I promised to acquaint them with the result as soon as I should be in possession of it; and in the performance of my promise, I thought it consistent with it, to add to the account all the former appropriations of the same kind; my good genius then suggesting to me, with a spirit of caution which might have spared me the trouble of this apology, had I universally attended to it, that if I had suppressed them, and they were afterwards known, I might be asked, what were my motives for withholding part

of

of these receipts from the knowledge of the Court of Directors, and informing them of the rest.

It being my wish to clear up every doubt upon this transaction, which either my own mind could suggest, or which may have been suggested by others, I beg leave to suppose another question, and to state the terms of it in my reply, by informing you, that the indorsement on the bonds was made about the period of my leaving the presidency, in the middle of the year 1781, in order to guard against their becoming a claim on the Company, as part of my estate, in the event of my death occurring in the course of the service on which I was then entering.

This, Sir, is the plain history of the transaction. I should be ashamed to request that you would communicate it to the honourable Court of Directors, whose time is too valuable for the intrusion of a subject so uninteresting, but that it is become a point of indispensable duty; I must therefore request the favour of you to lay it, at a convenient time, before them. In addressing it to you personally, I yield to my own feelings of the respect which is due to them as a body, and to the assurances which I derive from your experienced civilities, that you will kindly overlook the trouble imposed by it.

I have the honour to be,

SIR,

Your very humble and

most obedient servant,

(Signed) WARREN HASTINGS.

Cheltenham, July 11, 1785.

OBSERVATIONS

ON THE

LAST DEBATE

UPON THE

DEHLY NEGOCIATIONS,

AND THE

PROPOSED IMPEACHMENT

OF

MR. HASTINGS.

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OBSERVATIONS

ON THE

LAST DEBATE

UPON THE

DEHLY NEGOCIATIONS.

IT has been a favourite doctrine of the Whig members of the present opposition, that the proceedings of parliament cannot be made too public, and it necessarily follows, that men out of doors may animadvert as freely as they please upon the conduct of any of the parties in the House, provided they do not violate that decorum which should be observed, when they expose to public view, the conduct of those, who once held high, and important offices in this kingdom.

It would lead me too far from the subject of the following sheets, were I to analize the discordant parts of which the present opposition is

composed,

compofed, or to hazard my conjectures as to the motives by which thofe men are actuated who now profecute Mr. Haftings. That gentleman's caufe has been very conveniently turned on former occafions to the purpofes of party and faction in this kingdom, but not by his defire, or with his knowledge. Thus in the year 1776, when Lord North wifhed his removal, the Rockingham party, to a man, voted for his continuance in office. A fact which any gentleman may afcertain, by examining the names of thofe who balloted in 1776, in oppofition to the thirteen directors who would then have removed him. In 1782, after Lord North had four times recommended Mr. Haftings to parliament for the office of Governor General, and the laft time actually for ten years, the Rockingham party decreed his recall, and they fixed upon a curious way to effect it; it failed; and they grew more violent than ever: but their influence and power in the Marquis of Lanfdown's adminiftration forced the queftion on again, which again was defeated by the general voice of the proprietors and the public.

The next attempt, which had not merely the removal of Mr. Haftings for its object, was

frustrated

fruſtrated by the downfall of the miniſtry, at a moment when they appeared ſo ſtrong as to laugh to ſcorn the oppoſition of the Sovereign, or his people. Here the ſtruggle ended; Mr. Haſtings reſigned his government, even without waiting to hear that a ſucceſſor was nominated, and before any was actually appointed. He arrived in England laſt ſummer, and found the two parties, who for years had been virulently abuſing each other, and alternately cenſured or ſupported him, were united together, and determined upon his proſecution.

The intricacies of Indian details muſt, in the nature of things, be tedious and diſguſting to the generality of people in England: but there are certain ſtrong facts which ſpeak to the good ſenſe of mankind, and the following obſervations have been repeated a hundred different times, and by as many different men: Mr. Fox and Mr. Burke invariably attributed the calamities which have been brought upon this country, to the imbecility, indolence, corruption, and Tory principles of Lord North, and they were ſolemnly pledged again and again to impeach him. The very idea of a coalition with him, which was merely hinted at by Mr. Dundas, in March 1782, drove them to madneſs.

Mr.

Mr. Fox's ſpeech on that memorable occaſion is before the public. Lord North on the other hand attributed all our misfortunes to the factious oppoſition which he had to contend with; but neither party have ever attempted to ſay, that the empire has not been diſſevered; nor have they endeavoured to ſtrike off one, from the one hundred millions of debt which we have contracted in the laſt ten years. Yet a love of power united theſe virulent opponents, an alliance which reaſon, common ſenſe, and the people of England have univerſally condemned.

One fruit of that alliance is the proſecution of Mr. Haſtings, who, ſo far from having brought loſs, and diſgrace, and ruin upon the empire, the charges made by Meſſrs. Fox, and Burke, againſt Lord North, has actually preſerved whole and entire to Great Britain the brighteſt jewel in her crown; nay, he has done more, for during his government Great Britain conquered every ſettlement belonging to our European enemies on the Continent of Indoſtan, and reſtored them at the peace, to preſerve our Weſt India iſlands.—— but I will not dwell longer on the inconſiſtency of Mr. Haſtings's opponents.—The gentleman who ſtands moſt forward in this proſecution is Mr. Edmund Burke, though he has to this

day

day made no charge, yet he has attempted to miſlead the people of England by inflammatory ſpeeches, and, unleſs he can prove a great deal indeed, perhaps all men may not ſay with Mr. Fox, that his character is *ſafe* and *on-ſhore*.

Mr. Burke has moved for a great variety of papers which were granted without heſitation. When however he aſked for all the papers and documents relative to the Maratta peace, the Miniſter thought proper to reject the motion, and he deemed it conſiſtent with juſtice, at the ſame time, to ſpeak in the moſt expreſſive, and animated terms of the great merit of Mr. Haſtings, in concluding that peace. The papers being refuſed, we were immediately told by the oppoſite party, that delinquency was openly protected; that if Mr. Burke could procure the papers, he would prove to demonſtration that the faith of the nation had been groſſly vitiated in the caſe of the Rana of Gohid, and many other Rajahs, but more particularly the Rana of Gohid. Here Mr. Burke was brought to a point. All the papers relative to the Rana of Gohid were granted him, and he was informed by Major Scott that Mr. Anderſon, who negotiated the Maratta peace, was in London, and that Colonels Muer, and Popham, and Captain Scott, who had all ſerved in Gohid, where alſo

in

in town. Upon this ſubject then the informa-tion will be full and complete, ſo anxious was Mr. Scott to bring it forward, that he has him-ſelf moved for the printing of all the papers relative to that ſubject.

The next material motion was, for the papers which explained the nature of Major Browne's negociations at Dehly. Theſe were peremp-torily refuſed; and the ſubject but ſlightly touched upon. Here then was food enough for declamation. Mr. Burke declared that he was left with the threads and fragments of charges—that he had loſt his right arm, &c.—Mr. Fox ſaw deeper. He boldly aſſerted that a compromiſe had been entered into between Mr. Haſtings and the Miniſtry; and that it was determined to protect him. Very fortu-nately, however, Mr. Fox puſhed the matter rather too far; and inſtead of leaving the buſi-neſs where it was, he determined again to agitate the queſtion. It was argued laſt Friday, and we will now detail what has been proved incontro-vertibly, to be the true ſtate of the queſtion.—On the part of Mr. Fox, Mr. Sheridan, and Lord North, who were the three ſpeakers in favour of the motion, there was an infinite diſ-play of wit, humour, cloſe logical reaſoning, and

and ingenious deductions from assumed facts.— On the other side—Mr. Pitt distinctly and clearly proved, that not one of the assertions of Mr. Fox was founded in fact, as appeared by a reference to dates, and from the confession of Major Browne himself. From the documents read by Mr. Pitt, and from the particulars afterwards mentioned by Major Scott, to which we shall add two extracts of letters from Mr. Hastings to the Supreme Council, and to Mr. Wheler, we shall very clearly expose the prejudices and mistakes of opposition.

In the month of August, 1782, great unanimity prevailed in the Supreme Council of Bengal. The members were Mr. Hastings, Mr. Wheler, and Mr. Macpherson. Mr. Hastings at that period proposed to send a Minister to the court of Dehly.—Nuzeph Cawn, the King's Minister, had died a few months before. He drew up instructions for this Minister, and the Board read, and approved them. One article of these instructions was, that the Minister, Major Browne, should encourage, rather than discourage, any proposal that should be made by the King, or his Minister, for military assistance; but he was to conclude nothing without orders. Under these instructions he went from Calcutta, was delayed first in Owde, before he received

paſſports, and afterwards in Agra; ſo that he did not reach Dehly till December 1783, by which time our political ſituation in India was very materially changed. When Major Browne was deputed, we were at war with the Marattas, Hyder Ally Cawn, the French, and the Dutch. But in December 1783, peace had been firmly eſtabliſhed with all the powers except Tippoo Saheb, the ſucceſſor of Hyder; and there were no doubts entertained of the concluſion of peace with him.

From Auguſt 1782, to the day Mr. Haſtings left Calcutta, in February 1784, Major Scott has ſolemnly declared that he never once wrote to Major Browne, nor ſaw him, and that he at no time gave him inſtructions of any kind but his public inſtructions. Before Major Browne's letter of December 1783, which has given riſe to ſo many ingenious ſurmiſes, was received in Calcutta, the ſubject of that letter, namely, an application for military aſſiſtance to the King, was regularly brought before the Council, and fully debated. Mr. Haſtings was for giving aſſiſtance. The Council againſt it. And here it is neceſſary to obſerve, that not in this inſtance only, but in others, and the only one of great moment, Mr. Haſtings was in a minority, that is, he ſtood ſingly, againſt Meſſrs.

Wheler,

Wheler, Macpherſon, and Stables, and had ſtood ſo ſince April 1783, and continued in a minority till a month before he returned to England. No information was ſent to the King, or to Major Browne, of the Board's refuſal to aſſiſt the King, either by Mr. Haſtings or his Council; and this clears up a doubt of Lord North, who wondered why Mr. Browne ſhould repeat, on the 30th of December, a propoſition which had been negatived in October. Major Browne's ſo much talked-of letter arrived in Calcutta the 20th of January, and was circulated for the conſideration of the Board. There it remained; and a few days after Mr. Haſtings quitted Calcutta, and proceeded to Lucknow; nor does it appear that the Council ever took any further notice of it. The only remark made is, "That this letter do lie for conſideration." Now it would be rather hard upon Mr. Haſtings to make him accountable for the ſentiments of his Council, who probably ſuppoſed, that, as they had actually determined, in October 1783, not to aſſiſt the King, it was needleſs to conſider a letter from Major Browne, written two months later, on the ſame ſubject:—and here this propoſal from the King and his Miniſter, Affraſiab Cawn, received its fate, againſt the opinion of Mr. Haſtings.

That gentleman's deputation to Lucknow was a ſingular event. The circumſtances which gave riſe to it were theſe:—The Nabob Vizier, and his Miniſter, had ſent repeated complaints to Calcutta of the conduct of Mr. Briſtow, the Britiſh Reſident at his court, and earneſtly requeſted his recal. Mr. Haſtings was for it—his Council againſt it. Theſe diſputes were ſerious in April 1783; but in December of the ſame year, they arrived to ſuch an alarming height, that it became neceſſary either to give Mr. Briſtow abſolute power in Owde, and to degrade the Nabob Vizier, and his Miniſter; or to recall Mr. Briſtow. This was totally independent of every conſideration of the truth, or falſehood of the complaints againſt Mr. Briſtow. The Council determined upon Mr. Briſtow's recall, Mr. Haſtings aſſuming the whole reſponſibility of the meaſure, and pledging himſelf that the Company's balance ſhould be paid by the Vizier. On the Vizier's invitation he was permitted to go to Owde in February 1784, expreſſly for the purpoſes of aſſiſting his Excellency in the ſettlement of his country, and of recovering the Company's debt, which Mr. Fox ſtruck off in England, and many in India pronounced to be irrecoverable. This is merely mentioned as it is in a degree connected with what is ſtyled the Second Dehly

Negociation.

Negociation. And here a doubt of Mr, Sheridan's can be cleared up. He ſtated with great ingenuity, that Mr. Haſtings was not to command beyond the Vizier's dominions.

He drew up his own inſtructions, and inſerted this clauſe himſelf, never aſking, or wanting any power or authority beyond the Vizier's dominions; and his Council approved of them: ſo that the clauſe alluded to did not originate in any jealouſy entertained by the Supreme Council of Mr. Haſtings's deſigns in favour of the King. After Mr. Haſtings's arrival at Lucknow, and when he was deeply engaged in financial arrangements with the Vizier and his Miniſter, the King's eldeſt ſon fled from Dehly to Lucknow. No remonſtrances from Mr. Haſtings or the Vizier could prevent his coming there. He wrote to the Governor-general, that, unleſs he would conſent to receive him, he would throw himſelf at the door of his tent. No circumſtance could be more diſtreſſing or unſuſpected; but as he was determined to come, it was agreed by the Vizier and Mr. Haſtings to receive him according to his rank. He applied for aſſiſtance.—Mr. Haſtings ſtated his want of power to aſſiſt him, and wrote fully to the Council, who in reply enjoined him to avoid every meaſure that could commit the Com-

 pany's

pany's arms, or their treaſure beyond the Vizier's dominions. Here was no attempt from Mr. Haſtings to aſſume an authority independant of his Council. He told the Prince he came to Lucknow with a limited authority, and that he believed his Council would be diſinclined to aſſiſt the King, and this he ſaid before he received their ſentiments.

We now come to the ſecond application from Major Browne to Mr. Haſtings, which in a moſt extraordinary manner has been confounded with the firſt. When Major Browne wrote to Mr. Haſtings on the 30th of December, 1783, for military aſſiſtance, it was in conſequece of his converſation with the King and his public Miniſter Affraſiab Cawn; but when Major Browne came from the King to Mr. Haſtings, in May 1784, he was charged in behalf of the King, to implore the aſſiſtance of our government againſt his Miniſter, Affraſiab Cawn, who had confined his confidential Miniſter Mudjud, ul Dowlah. As far as this ſtatement in the houſe tended to raiſe a laugh at Mr. Jenkinſon's expence, or to bring to our recollection the ſituation of his Majeſty under the late adminiſtration, we do not think it worth notice,

but

but Mr. Haftings treated the application fo ferioufly, that, although he had every reafon to believe his Council would not permit him to affift the King he thought it his duty to apply to them in the ftrongeft terms upon the fubject.

He conceived a very flight interference of the Britifh government would be fufficient to relieve the King effentially; and that there would be no neceffity either to make ufe of their arms, or their treafure. Among other arguments is the following, "If the fentiments of our own fovereign, and the nation in general, can be gathered from many late and fucceffive publications of very high authority, I apprehend that it will be expected of us as a duty, that we fhould yield to it." And who that reads the feventh refolution of the Houfe of Commons, of the 28th of May, 1782, can entertain a different opinion from Mr. Haftings?—In truth the difference between Mr. Haftings and the Council was this——He conceived the King might be affifted effectually, without danger or expence; and he was on a fpot were he had a good opportunity of forming his judgment. His council differed from him in this opinion; they again refufed the powers Mr. Haftings had afked, forbad him to adopt in his Negociations

tions any measure that might commit the Company's arms or their treasure, and nothing was done.—That Major Browne was the Minister of the government, and not of Mr. Hastings, is clear from the following expressions. In his letter to the Court of Directors of the 13th May, 1784, Mr. Hastings there says, "Major Browne, who is your Minister at the Court of Dehly, left it the 2d instant, by the King's command." To Mr. Wheler, who was at the head of the government of Calcutta, during Mr. Hastings' deputation, he writes, on the 9th of June, 1784, "If we meant to withhold *all interference* from the concerns of the King, we ought not to have appointed a public Minister to his court.—The board appointed Major Browne; it was an act of the most complete authority; for it passed while the members of the board were in entire confidence and good humour with each other, and all their judgments were concerned in it.—"Yet if it shall be resolved to leave the King entirely to his destiny, I shall not of my own authority send back Major Browne, nor advise the board to continue his commission."—That Major Browne was the public Minister of the government of Bengal, we have proved. That he acted under his public instructions, and no other, we have the most solemn assurance of Mr. Hastings, and of Major

Major Browne, in a letter written to Mr. Macpherson the present Governor-general, by Major Browne himself, after Mr. Hastings' departure. —That if Major Browne was not removed, for having gone beyond his instructions in his negociations with the King, as detailed in his letter of the 30th December, 1783, cannot be the fault of Mr. Hastings, since he left Calcutta, very soon after that letter was received; and communicated to the Board, who ordered it "to lie for consideration," and never did, as we know of, consider it from that day to this, probably for the very reason we have already assigned, namely, "that they had determined on the subject of that letter two months before."—Perhaps it did not occur to the Council, that Major Browne merited a public mark of disgrace and punishment.—He was directed to encourage rather than to discourage a proposition for granting military aid to the King.—Under this instruction he acted, and he writes, "We have offered, the Shah has accepted, and we are bound in honour to go on," or words to this effect. The offer, and the acceptance, are very near what his instructions warranted, provided, as is certainly the case, the King knew Major Browne had not the power of concluding any thing:—and perhaps dismission would have been too severe a

punish-

punishment for Major Browne, who declared his opinion, that we were bound in honour to go on. But this is a point applicable to the Supreme Council only, and not to Mr. Hastings.

We shall quit this subject by stating the facts which arise from our observations, and all that has appeared fully authenticated in this subject.

1. That Major Browne was, in August 1782, appointed the British Minister at the court of the Mogul,

2. That Mr. Hastings drew up his instructions, and submitted them to the Council, who read and approved them; and from that moment they became the Board's instructions.

3. That Mr. Hastings never gave him any other instructions but these above mentioned; that he never saw him, or wrote to him, from August 1782 till after his (Mr. Hastings's) departure from Calcutta in February 1784.

4. That Major Browne met with many delays and obstructions; first, waiting for passports in Owde, and afterwards at Agra, and did not reach Dehly till December 1783.

5. That in consequence of letters from the King, and his minister Affrasiab Cawn, soliciting military assistance, this subject was debated in October 1783; that Mr. Hastings was for granting the assistance required, but his Council were against it, and of course the business was dropped.

6. That at this period, and even from April 1783, Mr. Hastings was in a minority, and continued so till just before he quitted India in February 1785.

7. That Major Browne's letter of the 30th of December 1783, with these words, "We have offered, the Shah has accepted;" was received in Calcutta by Mr. Hastings the 20th of January 1784, and immediately communicated to the Council, who ordered it to lie for consideration; that Mr. Hastings left Calcutta the following month.

8. That it does not appear the Council did, at any future period, take up, or pass any orders upon the subject of that letter.

9. That Mr. Hastings went to Lucknow for the express purposes of assisting the Vizir in the

settlement of his country, and for the recovery of the debt due to the company; that he submitted to the Board this instruction drawn up by himself; that he was to have a power over the army, but not beyond the province of Owde; and that the Council approved of this instruction, by which means it became an act of government.

10. That Mr. Hastings did recover a considerable part of the balance due to the company by the Vizir; that he fixed funds for securing the remainder; which late experience has proved were amply sufficient; and that he restored order and tranquillity to the Vizir's dominions.

11. That in April 1784 the Prince Yehander Shah, the King's eldest son, fled from Dehly; and, notwithstanding the remonstrances of the Vizir and Mr. Hastings, proceeded to Lucknow, where, as they could not prevent his progress, he was received with the honours due to his rank.

12. That Mr. Hastings assured the Prince his powers were limited, and that he could not assist him.

13. That the latter end of May, Major Browne arrived at Lucknow, charged with an express request from the King to solicit Mr. Hastings's assistance against his public minister, Affrasiab Cawn, to whom he was in fact a prisoner at that time.

14. That Mr. Hastings having no separate authority, did immediately apply to the Council for power to assist the King, and urging every argument he could make use of to induce them to grant him such a power; that the Cuncil peremptorily refused it, granting him a power to negociate for the Prince's return, but restricting him from committing the arms and treasure of the Company, and nothing further was done.

15. That the Council never did order the recal of Major Browne, and they were the only power competent to remove him.

16. That in August 1784 Mr. Hastings left Lucknow, arrived in Calcutta in November, and embarked on board the Berrington in February 1785.

These facts are fixed beyond contradiction; but the subject has been carried beyond Mr. Hastings's

Hastings's departure from Bengal, and therefore we shall pursue it a little further. The gentlemen in opposition are not always aware of the absurdities in which they are about to involve themselves, when they declaim on a subject which they do but partially understand. Mr. Burke, on the former debate on this business, lamented the dreadful consequences that would follow from the Marattas having possession of the King's person. Does he not know that from April 1771 to April 1773 the King was their prisoner? and that unless we interfered, and would consent to afford him assistance, they, or the Sics, must possess his person, and the desolated country which ostensibly acknowledged his sway? But in the eagerness to criminate Mr. Hastings, that gentleman is first accused of attempting, by British influence, to make the King's situation happier than it had been for years; and then by a sudden turn, which men of superior genius only can take, he is pronounced highly criminal for not opposing, by force of arms, Sindia's attempt to possess himself of the King's person and authority. Experience has proved, however, and future experience will prove, that no bad consequences will result from the events that have happened. Madajee Sindia

has,

has, in the most public and satisfactory manner, disavowed his having authorized any application to our government for the tribute; nor has there been any period in our history in India, which gave a fairer prospect to the duration of peace in that country. With Sindia we are connected by the strongest ties of interest; and the alliance between our own government and Owde is too firmly established to be broken.

We cannot conclude this detail without remarking, that although Mr. Fox was not able to prove Mr. Hastings had, directly or indirectly, authorized Major Browne to go beyond the instructions which the Board had read and approved, yet he did make out, even by the acknowledgment and confession of Mr. Scott himself, that Mr. Hastings had received various letters from Major Browne, and that he did not lay these letters entire before the Board.

The fact is certainly true; but full extracts were made from them, by Mr. Hastings's directions, and sent to the Board, by a gentleman now in England, accompanied by various remarks from Mr. Hastings, upon the political opinions which Major Browne had given, and

and which were combated by Mr. Haſtings, as differing from his own ſentiments.

The unhappy ſituation of the King has been a conſtant ſubject of remark in this country; but we believe that his hiſtory is not generally known. Mr. Burke, in his printed ſpeech of the 1ſt of December 1783, very unjuſtly blames the ſervants of the Eaſt India Company for the misfortunes which the King has ſuffered. They however are entirely free from blame. For years before Lord Clive returned to Bengal in 1765, the Mogul had been a wanderer throughout Indoſtan, not having, as he emphatically wrote to his lordſhip, a place whereon to lay his head. By the treaty of 1765, Corah and Allahabad, which were conquered by the Britiſh arms from the Vizier Sujah Dowlah, were to remain in the poſſeſſion of the King, for the ſupport of his dignity; and to theſe provinces were added twenty-ſix lacks of rupees from the provinces of Bengal, Bahar, and Oriſſa, in conſideration of our acquiring the duanee of thoſe provinces. From 1765 to 1771 the King remained at Allahabad, and then, at the inſtigation of the Marattas, he proceeded to Dehly, where he became as much a dependant as he had been from his birth to the year 1765.

The

The Marattas forced from him sunnuds for the provinces of Corah and Allahabad, and his Majesty peremptorily demanded his tribute. Mr. Hastings, who, precisely at this critical moment, arrived at Bengal, and had succeeded to the government, was to determine whether he would remit the tribute to the Mogul, for the use of the Marattas, and permit them to possess themselves of Corah and Allahabad, or withhold the former, and resist their attempts to acquire the latter by force. He and his Council determined to withhold the payment of the King's tribute, and to yield Corah and Allahabad to the Vizier, from whom we had conquered them, for a valuable consideration. The Company, in daily communication with the Minister of the Crown, then Lord North, warmly approved of Mr. Hastings's conduct in both these instances, and sent positive orders to Bengal, that no further payments were to be made to the King, but by their express directions.

From 1772 to the present hour, the unfortunate Shaw Allum has experienced various vicissitudes; sometimes an instrument in the hands of the Marattas, and at others, the servant of his Ministers: at times almost in want of necessaries. And such was the state of his family, from the invasion of Nadir Shaw, the

period from whence we may date the deſtruction of the Mogul empire, to the day the preſent King ſurrendered his perſon to General Carnac. It is a melancholy inſtance of the malignity of party, but a true one, that the men who have cenſured Mr. Haſtings for an act of political neceſſity—withholding the King's tribute and reſtoring Corah and Allahabad to the Vizier—ſhould now attempt to fix criminality upon him, for feeling and expreſſing an anxious deſire to relieve the King, when he conceived it could be done without injury to our own government.

We have now detected the fallacious reaſoning of the oppoſition, for they made the ſubject a party queſtion: and here it is impoſſible to avoid taking ſome notice of the inconſiſtency of Mr. Burke. Long before he could have heard a ſylable of Major Browne's negociations, he pledged himſelf to prove Mr. Haſtings a moſt notorious delinquent; yet the moment he was refuſed theſe papers, he declared that the Miniſter had left him with the threads and fragments of charges. We ſhall purſue the ſubject no farther—from what we have already ſaid, the public may form a tolerably accurate judgment of the conſiſtency, and public virtue of Mr. Haſtings's proſecutors.

We cannot paſs without notice a ſingular concluſion drawn by Mr. Fox, and Mr. Sheridan, from the imperfect accounts which they had received of Major Browne's negotiations. That Mr. Fox, who has been twice a Miniſter in this country, ſhould be more ignorant of the military ſyſtem of India than an enſign of ſix months ſtanding is indeed extraordinary. However parties may differ as to the merits of Mr. Haſtings, no man diſputes his talents.—How then could Mr. Fox conceive him capable of entertaining an idea of aſſuming independance in India, with the aſſiſtance of the King's unpaid rabble at Dehly, and ſix unofficered battalions of Sepoys.—The youngeſt officer in Calcutta would have told Mr. Fox, that our Bengal Sepoy regiments, though they came to the puſh of the bayonet with an equal number of old French regiments in the Carnatic, would in leſs than ſix months, be deprived of their ſpirit, and their diſcipline, if not commanded by our countrymen: and that ſix battalions, ſo ſituated, would be overmatched in a conteſt with ſix companies of Sepoys, under the command of Britiſh officers.

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AN

APPEAL, &c.

WHEN the ambition of France openly threatened Europe with universal monarchy, the duke of Marlborough turned the tide of succefs, and, controlling fortune by the superiority of his genius, seemed to proceed, by a sure march, from fortrefs to fortrefs, to the gates of Paris. But in the midst of this career of prosperity and glory, that military ardour and high spirit of liberty, which had lately shone forth among all ranks and orders of men in England, was suddenly exchanged for a rooted aversion to war, an anxious desire of peace, and a superstitious dread concerning the

 safety

ſafety of the church. The public admiration was transferred from the Duke of Marlborough to Dr. Sacheverell; from the great protector of the liberties of Europe, to a deſpicable firebrand of ſedition. And while the Engliſh nation almoſt deified a pragmatical prieſt, they ſeemed, in their undiſcerning fury, to demand, as a victim at his altar, the very man who had raiſed the Britiſh name to the higheſt point of elevation. All our hiſtory is indeed full of tranſitions as quick, and of humours as unreaſonable: but ſince the reign of Queen Anne to the preſent times, there was none to be found ſo much fitted to excite ſurprize, regret, and indignation, as the preſent perſecution of the Governor General of Bengal, nearly akin to the Duke of Marlborough, in character, in ſituation, and in fate; except that the Commander in Chief of the confederated armies amaſſed an enormous fortune; in which circumſtance, too, Mr. Haſtings might have eaſily reſembled him, if to preſerve, ſecure, and improve the Britiſh dominions and influence in Aſia had not been the predominant paſſion of his ſoul, as he conceived it to be the firſt duty of his ſtation. But who can doubt, after the tranquillity enjoyed by ſome late culprits at the bar of the Houſe of Commons,

Commons, and the ſolicitation of an interview with Major Scott on the part of a certain diſtinguiſhed orator *, that the prudential command of a great fortune, with the aid of leſs addreſs than

* This tranſaction was alluded to by Major Scott in his reply to Mr. Sheridan, which produced from Mr. Sheridan a very few words in anſwer: theſe went merely to imply, that Major Scott had acknowledged himſelf miſtaken in his former account of the tranſaction. Major Scott may have a very good idea of Indian politics, but he has not ſhewn himſelf a match for his opponents in England in point of manœuvre. To prevent the world, however, from entertaining an idea that the miſtake made by Major Scott did at all affect the purpoſe for which he has at any time alluded to this tranſaction, we ſhall give the fact as it is, and leave our readers to draw their own concluſions from it.

On the 17th of November at night, Mr. Sheridan paid a viſit to a gentleman, who then lived in Berner's ſtreet, and was known to have taken a very active part in favor of Mr. Haſtings, in whoſe family he had lived in India. This gentleman Mr. Sheridan had not viſited before this night for ſeveral months, and the intimacy between them, though not broken off perhaps, had long been ſuſpended. The expreſs avowed purpoſe of this viſit, was to talk over the affairs of Mr. Haſtings, and it was agreed between this gentleman and Mr. Sheridan, that the former ſhould call on the next morning upon Major Scott, to communicate what had paſſed, and Major Scott was to be deſired to meet Mr. Sheridan at eleven o'clock that morning, at a third houſe. The communication made by the gentleman who

than Mr. Haſtings is allowed to poſſeſs even by his enemies, might have eaſily diverted the arrows of reproach, and ſecured an undiſturbed retreat from a life worn out in the ſervice of the

viſited Major Scott was, as he underſtood, that he came to him with the olive branch; that Mr. Haſtings might come home with perfect ſecurity, with his half million, or whatever might be the amount of his fortune; that the miniſters had ſtrength enough to carry the India bill, but that they knew it would be oppoſed at the India Houſe. The condition therefore required from Major Scott was, that the friends of Mr. Haſtings would not join in the oppoſition to the bill. In reply to this communication, Major Scott at once ſaid he would not meet Mr. Sheridan, but that he ſhould go to the gallery of the Houſe of Commons, where he ſhould hear Mr. Fox himſelf: and he further told the gentleman who called upon him, in anſwer to ſome doubts that were expreſſed whether Mr. Haſtings would come home when recalled, that all the world knew there had been a letter upon the table of the Court of Directors, ſince the month of September, in which he expreſsly deſired them immediately to appoint a ſucceſſor to the government of Bengal. The gentleman who waited upon Major Scott further told him, that, if the negociation came to nothing, no notice was to be taken of any offer of the kind having been made. Mr. Fox made his famous ſpeech on that day, the 18th of November, in which he grounded the neceſſity for his bill upon the miſmanagement of Mr. Haſtings, and ſaid his whole proceeding was the proceeding of a man who had drawn

the public, and full of activity, trouble, and danger? That engine of defence he neither possessed nor required. His own virtue was the shield which he opposed to the shafts of his

adversaries,

drawn the sword, and thrown away the scabbard. The following morning, the 19th, Major Scott, and the friend who had called upon him, met again, when the latter clearly declared, that, after Mr. Fox's speech, Mr. Sheridan had no right to expect secrecy from either of them. The press was not idle; every paper teemed with gross and *anonymous* abuse at Mr. Hastings, with threats of vengeance, and now and then with something like a promise of favour, if the friends of Mr. Hastings would be less active. In answer to one of these paragraphs, Major Scott, not like a skulking assassin, who stabs in the dark, but openly, and with his name at full length to the assertion, publicly avowed, on the 27th of November, ten days after Mr. Sheridan had visited his friend, that he, Major Scott, "*rejected the offer of an act of* "*oblivion for his principal, provided he would remain silent* "*during the present attack upon the East India Company.*" This avowal, written before the Committee of Proprietors at the India House, and inserted in the Morning Chronicle, was never answered; nor was the gentleman whom Mr. Sheridan had visited, or Major Scott, taxed with a breach of secrecy.

In the month of March, 1786, two years and four months afterwards, Major Scott again alluded to the circumstance in the House of Commons. The allusion occasioned a meeting between Mr. Sheridan and the gentleman

whom

adverſaries, in whom diſappointed hopes, as the world conjectures, converted affected indignation into real reſentment. And the ſame magnanimity which diſdains the compromiſes of conſcious demerit will carry him triumphant through all his troubles.

The reaſonings of his accuſers, diveſted of all adventitious ornaments, bear a nearer re-

whom he had viſited, and the conſequence of that meeting was, a perfect agreement between Mr. Sheridan and that gentleman, that Major Scott had miſtaken both the extent of the offer that was made, and the ground upon which it was made: but admitting the fact, as it muſt be admitted, where two gentlemen only were preſent during a converſation, and agree exactly as to the particulars of it, what does the admiſſion amount to? Not that Mr. Sheridan did not pay that gentleman a viſit the night before the day on which Mr. Fox brought in his bill---not that Mr. Sheridan did not agree to meet Major Scott the next morning---not that Mr. Sheridan did not ſay Mr. Haſtings might come home with ſecurity, &c. It merely went to this, Major Scott was miſtaken, firſt, in believing that Mr. Sheridan's offer was made with the knowledge of Mr. Fox, and all the confidential men belonging to the Duke of Portland; and, ſecondly, he was miſtaken in ſuppoſing that the condition required from him was that he and his friends ſhould not oppoſe the India bill; whereas, in fact, all Mr. Sheridan wanted to know was this, whether the man who had written for a ſucceſſor would come home, if recalled under Mr. Fox's Bill?

ſemblance

ſemblance to the verbal diſputes of logicians and caſuiſts than the ſolid arguments of legiſlators and ſtateſmen ſeriouſly concerned for the welfare of the republic. In the whole compaſs of morality there are two things principally to be conſidered: Firſt, what are the ſentiments and what the tenour of conduct that denominates one action, or courſe of actions, virtuous, and the contrary vicious? And, ſecondly, by what principle or law is virtue recommended and authorized, and vice ſtigmatized, and reprobated? Concerning the laſt of theſe queſtions, metaphyſicians have differed, and will for ever continue to differ; but with regard to the firſt and moſt important, they are all of them very nearly, if not entirely agreed. If we examine all the writers on the law of nature, from Plato to Payley, we ſhall find, that whatever the theories are with which they ſet out, they all of them terminate in public utility and advantage. They aſſign, as the ultimate reaſon for every rule which they eſtabliſh, the neceſſities and the convenience of mankind, and readily admit that the firſt and fundamental law in all political conſtitutions is the preſervation of ſociety *. On

* The great and good Mr. Locke, the aſſertor of the rights, and the expoſitor of the nature of man, in what he writes

On the profpect of war in general, it has uniformly been the practice of all countries, on probable grounds of fufpicion, of which the executive branch of the legiflature always exercifed the

writes on civil government, fays, that " Where the le-" giflative and executive power are in diftinct hands (as " they are in all moderated monarchies and well-framed " governments), there the good of the fociety requires that " feveral things fhould be left to the direction of him " that has the executive power: for the legiflators not " being able to forefee, and provide by laws, for all " that may be ufeful to the community, the executor of " the laws, having the power in his hands, has, by the com-" mon law of nature, a right to make ufe of it for the good " of fociety in many cafes where the municipal law has " given no direction, till the legiflature can be conveni-" ently affembled to provide for it. Many things there " are which the law can by no means provide for, and thofe " muft neceffarily be left to the difcretion of him that has " the executive power in his hand, to be ordered by him " as the public good and advantage fhall require: nay, it is " fit, that the laws themfelves fhould in fome cafes give " way to the executive power, or rather to this fundamen-" tal law of nature and government, that, as much as may " be, all the members of the fociety are to be preferved: " for fince many accidents may happen wherein a ftrict " and rigid obfervance of the law may do harm (as not to " pull down an innocent man's houfe to ftop the fire when " the next to it is burning), and a man may come fome-

" times,

the prerogative of judging, to ſecure the perſons of individuals thought to be diſaffected to the ſtate, by which great public calamities are prevented. On the ſame ground of public neceſſity, villages are deſtroyed, leſt they ſhould afford ſhelter to the enemy. It is true, that in ſuch caſes reparation is made to the inoffenſive inhabitants: and accordingly reparation has been made, notwithſtanding the indications of an hoſtile diſpoſition to the Engliſh, on the part of the Princeſſes

" times within the reach of the law, which makes no diſ-
" tinction of perſons, by an action which may deſerve re-
" ward and pardon. This power to act according to diſ-
" cretion for the public good, without the preſcription of
" the law, and ſometimes even againſt it, is that which is
" called prerogative, and, whilſt employed for the benefit
" of the community, and ſuitably to the truſts and ends of
" government, is never queſtioned; for the people are
" very ſeldom or never ſcrupulous or nice in the point.
" He that will look into the hiſtory of England, will find
" that prerogative was always largeſt in the hands of our
" wiſeſt and beſt princes; becauſe the people, obſerving
" the whole tendency of their actions to be the public
" good, conteſted not what was done without law to that
" end: or if any human frailty or miſtake (for princes are
" but men made as others) appeared in ſome ſmall declina-
" tions from that end, yet it was viſible that the main of
" their conduct tended to nothing but the care of the pub-
" lic."

of Oude, by Mr. Haſtings, as far as the reſumption of their jaghires is concerned. A proviſion was made for replacing their income at the exact rate at which it had ſtood in their own eſtimate, while they held the jaghires, by making it the condition of the reſumption, that they ſhould receive a penſion equal to the amount of thoſe poſſeſſions, in equal monthly payments; and theſe, for the fulleſt ſecurity, were made payable from the produce of the Company's aſſignments. Has the Britiſh parliament, in which we find the men who held in their hands the reins of government, during that intereſting conflict with ſo many nations whoſe afflicting conſequences we all feel and deplore, and which has given birth to ſo many charges and ſo much recrimination, has the Britiſh Miniſtry and Parliament in all caſes made compenſation to thoſe who have ſuffered in the cauſe of England, as ample, as equal, as permanent and ſecure as that which the juſtice of Mr. Haſtings has granted to the Princeſſes of Aſia? The American Loyaliſts, on the very ſcene, braved the fury of prevailing rebellion with an intrepidity and conſtancy that reproached that timorous and temporizing policy in Adminiſtration, that indolence and infatuation in

in the servants of the crown both by sea and land, and that cruel rage of faction, which impeded the wheels of a weak government, in more forcible strains than the most piteous complaints that could be poured forth before a generous people. But what pen or tongue can describe the calamities which attended, and the horrors which followed on the issue of their noble conflict? In what pathetic accents might not the inimitable eloquence of Sheridan and Burke represent the disconsolate widow, sitting in solitary places, mourning an husband slain, an infant lost*! Or, if in the varying and sudden emotions incident to the impassioned soul, grief

" * She weepeth sore in the night, and her tears are on her " cheeks: among all her lovers there is none to comfort " her: all her friends have dealt treacherously with her, " they are become her enemies. She is in bitterness, when, " in the days of her affliction and of her miseries, she re- " membered the pleasant things she had in the days of old, " when her people fell into the hands of the enemy and " none did help her: when the comforter that should re- " lieve her soul is far from her; when her children are de- " solate because the enemy prevailed; when the children " and the sucklings swoon in the streets of the city, and say " to their mothers, where is corn and wine? For they " swooned as the wounded in the streets of the city, and " their soul was poured forth into their mothers bosom."

at the ſorrows of our fellow ſubjects ſhould be converted into indignation at the cauſes from whence they ſprung, what field for invective to the thunder of Fox! and what profound ſilence in the liſtening ſenate! while he devotes to deſtruction the authors of ſuch calamities, and in the heat of paſſion, which throws all artifice at a diſtance, almoſt confeſſes that the misfortunes of the Loyaliſts are not wholly owing to the errors and the ſelfiſh views of Adminiſtration.

Amidſt ſuch candour and ſincerity of ſentiment, as ſuch a ſcene in the Houſe of Commons would inſpire, could not all the logical diſtinction of Mr. Pitt find ſome precedent or pretext for ranking the miſconduct of Mr. Haſtings, and the ſufferings of women who have been reduced to the neceſſity of accepting a yearly penſion from their ſon, inſtead of a landed eſtate; might not, I ſay, the ſubtlety of Mr. Pitt find, if he pleaſed, ſome reaſon for ranking the miſconduct of Mr. Haſtings, and the grievances of the Begums, in an order inferior to the enormities that diſgraced different parties in the conduct of the American war, and the cruel calamities that afflicted and ſtill afflict the loyal ſubjects of Great Britain acroſs the Atlantic? Does the pittance allowed by Government as an indemnification

demnification to the Loyaliſts bear any proportion to the income continued to the Begums? Ladies ſecluded from the world in the receſſes of a ſeraglio, and in whoſe hands political power and importance ſerved only, by nouriſhing a ſpirit of ambition, to diſſolve the ties of blood, and to embitter the fallen ſtate of their family by domeſtic diſcord? Far different from theirs is the condition of the diſperſed families of the Loyaliſts! Aged parents, accuſtomed to receive their kindred and friends with plenty and hoſpitality, now in the character of petitioners for ſome proviſion againſt the extremity of want for themſelves and their children; and the tender ſex ſtruggling by every effort to unite that delicacy and dignity of ſentiment in which they have been bred, with the means of ſelf-preſervation! While ſuch objects, related to us by blood, by language, manners, and religion, by friendſhip ill-requited on our part, and fond confidence miſplaced on theirs; while ſuch objects preſent themſelves to our view, whence all this gallantry to Bow Begum, and the women of the Haram of Sujah ul Dowlah?

In the relation that ſubſiſts between ſovereigns and their ſubjects, if allegiance is implied on the one part, protection is preſumed on the other.

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The Loyaliſts, therefore, if the affairs of ſtate, even on the greateſt emergency, are to be ſquared by the abſtracted accuracy of eternal juſtice and truth, have an undoubted right to an abſolute reſtitution of all they have loſt, and reparation, as far as that is poſſible, for all they have ſuffered. But is it argued that full reſtitution as well as complete reparation to the unfortunate ſubjects of Britain in America is impoſſible? Then, it is admitted that political exigencies may not only ſuſpend, but ſuperſede the execution of juſtice. Under this conviction, then, let the candid mind judge of the conduct of Mr. Haſtings reſpecting the Begums of Oude and the Rajah of Benares.

It is a matter of notoriety, that by the example and at the inſtigation of the Rajah Cheit Sing, the Zemindar of Benares, the inhabitants of that diſtrict revolted from our government, and continued in a ſtate of rebellion from the 22d of Auguſt to the 22d of September, 1781. During that ſhort but important period in which Mr. Haſtings was confined to the Fortreſs and Plain of Chunar, and in a ſituation which in the apprehenſion of many men portended certain deſtruction to himſelf and his ſmall party, the Begums of Fyzabad united their authority and influence to extend and aggravate the difficulties of the Engliſh. Circular

letters

letters were written to the Zemindars of Oude, inciting them to rebellion ; rewards were proclaimed for the heads of Engliſh officers and ſoldiers ; a general revolt enſued, of which their agents were the principal leaders; the two chief eunuchs and confidential ſervants of the younger Begum openly levied troops in the great ſquare of the city, for the avowed ſervice of Cheit Sing againſt the Engliſh, which were employed by the Rajah in his battles againſt us. Theſe facts have been proved by the depoſitions of Lieutenant Colonel Hannay, Major John Macdonald, Captain John Gordon, and many other witneſſes, taken before Sir Elijah Impey, at Lucnow and Chunar, within three months of the time in which the events had paſſed. Theſe, with other facts, are urged by Mr. Haſtings in defence not only of a general reſumption of the eſtates, but alſo of the treaſures in the poſſeſſion of the Begums, at the requeſt of their ſon and grandſon, the Nabob Aſſoph ul Dowlah, to whom they belonged by the right of hereditary ſucceſſion, and without the aid of which he could not fulfil his engagements to the Eaſt India Company, which were abſolutely neceſſary, by ſupporting their, to maintain his own authority.

In oppoſition to the truth of theſe facts, the

accuſers of Mr. Haſtings enter into a long and intricate train of reaſonings, conjectures, impoſing aſſociations of ideas, witticiſms, hyperbolical expreſſions, and even appeals to the majeſty and juſtice of Heaven; ſhifting the ground on which the general iſſue of the queſtion concerning the merit or the demerit of Mr. Haſtings is to be reſted, juſt as it ſuits their purpoſe.

1. At one time they demand legal evidence for the truth of what Mr. Haſtings advances in his own vindication; and at another, when that evidence is adduced, they endeavour to turn the neceſſary ſteps by which it was obtained into ridicule, and to convert them into arguments of conſcious guilt.

2. If the Governor reaſons on the invariable principles of human nature, they decry vague conjecture, and are not ſatisfied with any arguments not founded on ſolid facts; if facts are produced, they affirm, that theſe could not have happened, as they appear to them to be contrary to the general principles of human nature.

3. They pervert even the ſagacity of the Governor General to their purpoſes. They ſuſpect and condemn him for acting from the convictions of his underſtanding, even when theſe were juſtified by ſubſequent events, and where the conduct to

which

which they led was indiſpenſably neceſſary to the ſalvation of the Engliſh power in Aſia.

4. If he uſes rigorous meaſures, he is cenſured; but if, towards the ſame perſons in the ſame circumſtances, he uſes lenity and indulgence, he is alſo accuſed.

5. If he takes ſhelter in the general principles of juriſprudence, they object to general queſtions and conſiderations on a complicated ſubject; if he enters into a detail of facts, and ſhews that ſuch was the ſtate of affairs, that no other meaſures than thoſe adopted could have reſtored and ſecured the public ſafety, they drag him from the field of battle into the monaſtic cell, array him in the habit of an Auguſtin Friar, and try him by laws which, though ſublimated from a congeries of facts in the imaginations of metaphyſicians, cannot in all caſes be reduced to practice, conſiſtently with the great ends of political ſociety.

6. To all theſe inſtances of prejudice and egregious injuſtice they add the enormity of reducing to the meaſure of the Britiſh laws and conſtitution, the adminiſtration of a magiſtrate who had been ſent in the name of his country to govern a people in ſentiments, manners, and modes of life ſo different from our own, that our laws and cuſtoms are their abhorrence; in cir-

cumſtances of unparallelled difficulty and danger, and at a time when the projects for the government of India, formed at home, were perpetually changing, and every packet from England to Bengal carried out orders, not only contradictory to preceding orders, but inconſiſtent with themſelves, and the whole taken not ſeverally, but in conjunction, impracticable.

Theſe are the charges which I bring before the people at large againſt the accuſers of Mr. Haſtings; and on all of theſe I proceed farther to ſpeak in their order.

Mr. Sheridan not only alledged that there was no legal evidence of the Princeſſes of Oude being in a ſtate of rebellion, but that there were no fair preſumptions of their delinquency, or that they entertained hoſtile deſigns againſt the Engliſh. To reports and hearſays, even in circumſtances full of alarm, he paid no manner of regard. Now, if the chief magiſtrate or governor of a province is not juſtifiable in exerting the power committed to him for cruſhing the infancy of a rebellion before he has legal proofs of its exiſtence, why does Mr. Sheridan attempt to throw odium and ridicule on the Governor General for doing that which he himſelf requires, and what

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the laws of England would have preſcribed in any ſimilar caſe? That is, uſing the beſt evidence that could be obtained, and giving it the beſt poſſible ſanction. Can that be ridiculous which is wiſe and neceſſary? If it can, then ridicule is not a proof that the conduct of Mr. Haſtings, in taking the evidence in queſtion before the firſt Britiſh judge in India, was unneceſſary: if it cannot, and that Mr. Sheridan ſhall contend that the conduct of Mr. Haſtings and Sir Elijah Impey, in collecting evidence that a rebellion, though in its firſt ſtage, exiſted in the province of Oude, as well as in that of Benares, furniſhed real and genuine matter of ridicule, then was not their conduct neceſſary and proper; and a caſe may exiſt when the man in whoſe hands his country entruſts her diſtant and deareſt intereſts, may act in diſcharge of his truſt without obſerving legal forms. And, if this be ſo, it muſt be admitted, that, in proportion as Mr. Sheridan was ſucceſsful in his endeavours, which in reality formed no inconſiderable portion of his ſpeech, to throw ridicule on the Governor General and Chief Juſtice of Britiſh India, in that proportion exactly does he vindicate the conduct of Mr. Haſtings; if, in over-awing and checking the beginning of commotion, he ſtepped beyond the

 caution

caution of an Attorney, and, aſſuming the freedom of an honeſt man, acted up to the character with which he was inveſted. In truth, it appears to the common ſenſe of mankind, as it did to Mr. Haſtings himſelf, that an exceſſive anxiety about *legal evidence*, in the circumſtances in which *he* was deſtined to act, or his *country* to ſuffer, would indeed have juſtly ſeemed an object of ridicule. He did what a due regard to prudence on the one hand, and decorum on the other, naturally dictated to a firm and diſcerning mind. He authenticated his proofs before a Britiſh magiſtrate, and chiefly by Britiſh ſubjects. And here it is to be obſerved, that if Mr. Haſtings had been conſcious of any degree of guilt, or improper bias on his mind, he would naturally have been ſedulous to heap proof upon proof of his innocence: dignity of mind would have ſhrunk before an apprehenſion of danger, and the anxiety of the criminal would have been a plentiful ſource of the darkeſt ſuſpicions that could poſſibly ſpring up in an imagination fertile even to exceſs, and which can ſupply in abundance theories and conjectures to cover and protect whatever doctrine or fact he chuſes to eſtabliſh. The gentleman to whom I allude I firmly believe to be naturally humane, benevolent, and

juſt;

juſt; but the fineſt genius and the moſt generous diſpoſition is not unuſually found in conjunction with an irritability of temper which magnifies its object. And when once the will begins thus to influence the judgment, fertility of invention, inſtead of being a lamp of light, becomes an *ignis fatuus* that leads into error. It will never be forgotten, while the preſent impeachment ſhall remain on our records, that the apologiſt of *Powel* and *Bembridge* was the accuſer of WARREN HASTINGS.

But to return to Mr. Sheridan. Was it natural, decorous, and proper, if he either believed that Mr. Haſtings deſerved bonds, impriſonment, or death, or hoped to make it appear that he did, to ſet the Houſe at every turn of his reaſoning into a roar of laughter, and to convert a criminal trial into a ſcene of amuſement? However natural it may be for Mr. Sheridan to turn tragedy into comedy, it was as unfair as it was unnatural, to pour forth on the object of his arraignment at once the torrent of ridicule and of invective: for I fear that not a few of his audience beſtowed, as a reward on his wit and humour, what they could not concede to the force of his arguments. The indecent plaudits heard at the concluſion of his humorous harangue,

rangue, diſgraced the aſſembled ſenate; though, indeed, they were fit enough expreſſions of that ſpecies of ſatisfaction which we derive from A SCHOOL FOR SCANDAL.

Very different from that *ſupploſio pedis* which was practiſed not by the orator, but the judges, was the deportment of the gallery, in which different individuals, when Mr. Pitt declared himſelf againſt Mr. Haſtings, expreſſed their concern and ſurprize in involuntary exclamations, which of courſe incurred a rebuke from the Speaker. The ſpectators of what paſſed in the Houſe below, were not ſo much touched with the humour of Mr. Sheridan, as with indignation that ſuch talents ſhould be miſpent in ſuch a cauſe.

There was nothing in the teſtimonies of different gentlemen in the ſervice of the Company in favour of Mr. Haſtings impoſſible, nothing inconſiſtent, nothing contradicted by oppoſite evidence: but it was alledged that what they affirmed was improbable, and that they were under the influence of Mr. Haſtings, by whom they had either been obliged, or from whom they expected future favours. There was nothing advanced againſt the evidence in proof of the rebellious deſigns at Fyzabad that would be ſuſtained as a bar to its validity in an ordinary

court

court of juftice. But certain country gentlemen, and others affembled in the Houfe of Commons, under the aufpices of a rector of an univerfity *, a very witty author for their principal, and a ftudent from Cambridge for their *regius profeffor*, undertook to invalidate it on the moral principles of the human mind. They objected to general reafoning, and required pofitive proofs: pofitive proofs being brought, they return to general reafoning on the nature of man, and the motives that influence his conduct in different fituations. Having returned a fecond time to this ground; on this ground, in the name of the God of Truth, let the difpute be decided.

It is not credible, fay they, that an infurrection fhould be raifed, or a war meditated againft the Englifh, whofe power had been fo recently and vifibly difplayed in dethroning or reftoring princes, and exterminating nations, by two weak women fecluded from the world in the inmoft receffes of an Eaftern feraglio. Is it then by bodily ftrength and perfonal prowefs, as in the favage ftate of fociety, that either kings or queens wage war in Afia or in Europe? Was it of any confequence in the confederate war, whe-

* Mr. Burke is or lately was rector of the univerfity of Glafgow.

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ther the Sovereign of Great Britain, or, in the laſt Turkiſh war, whether the Sovereign of Ruſſia, was of the maſculine or feminine gender? But the very circumſtance of their deep retirement, and the delicacy of oriental manners, afforded a ſecurity to their perſons, which did more than counterbalance the want of manly vigour. What opinion can our orators entertain of the underſtandings of thoſe whom they thus angle and inveigle with the illuſions of puerile fancy? It was not the ſex, nor the age of the Begums that Mr. Haſtings was to conſider, but the numbers of men that were at their devotion; the prevalence and ſtrength of the principle that might unite theſe in action; the reſources that might enable them to elude our forces, to prolong the war, to take advantage of the favour, and to weary out by perſeverance the adverſity of fortune; and, above all, their diſpoſition to revolt, and the circumſtances that might encourage them to excite rebellion.

Whoever imagines that by all the mildneſs we have mixed, or that it is poſſible for us to mix with our tyranny over the natives and princes of Aſia, we ſhall be able to gain their confidence and affection, is egregiouſly miſtaken. Whatever aromaticks we may infuſe in their bitter cup,

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the bitter taste will still so far prevail as to induce a strong desire of casting it from them whenever they can: and the greater the hope of being able to do so, the more ardent also will be the desire. It is a property in human nature, that any emotion which attends a passion is easily converted into it, though in their natures they be originally different, and even contrary to each other. Hence hope is able not only to inflame the desire of obtaining any particular object, but also to excite anger against the person who with-holds it, or to heighten it where it was before-hand the predominant passion; agreeably to that saying of the poet Virgil, *spes addita suscitat iras.* To govern reduced provinces, especially such as are remote from the seat of government, by slackening the curb of power, and granting a few indulgencies to a subjected people, imperious nations have always found to be difficult, and for the most part impossible. After what has so recently passed in America and in Ireland, we cannot be at a loss to judge of the effects of partial concession. Every degree of liberty indulged to men tends to produce at once a desire, and a sense of their natural right to enjoy it in its full extent.

Mr. Francis said, that it was through the old

Begum that the right of dominion and property in Oude defcended, fhe being the daughter and only heir of the antient Soubah. This Princefs, he added, was in fact, at leaft in right, the real Sovereign of Oude. She is allowed to be a woman of an high fpirit; and her pride is naturally heightened by the recollection of her anceftry, and of former times; fhe, therefore, confidered the Englifh as the oppreffors of her family, and the ufurpers of its inheritance. The refentment which fhe naturally entertained againft our nation, there was reafon to dread, would be inflamed by the hope of gratification. She was not uninformed of the fituation of affairs in the weftern world. The crowns of that monarch, whofe power fhe had long equally dreaded and detefted, feemed now to totter on his head; and that of America had already fallen. The French, the Spaniards, the Dutch, the three greateft maritime powers in the world next to ourfelves, and whofe ftrength was but too well known in the eaft, preffed with their united weight on the Englifh, and the ftandard of revolt began to be raifed in Benares. In fuch circumftances what confidence could Mr. Haftings repofe in the attachment of the high-fpirited Begum, or what in her numerous fubjects? Mankind are governed

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by opinion; and the opinion by which they are governed is two-fold: an opinion of intereſt, and an opinion of right. Ideas of right have an influence on the minds of men which have been found, in ſome inſtances, to prevail over thoſe of intereſt. Hence in all nations, and in none more than in Great Britain, Chiefs have been found, who, in the full poſſeſſion of their privileges and fortune, have flown to the ſtandard of exiled princes, followed by bands of voluntary vaſſals. But in Aſia, where the reverence to royal blood is ſtronger than in Europe, and where the oppreſſions of Europeans, compared with thoſe the people ſuffer under their native princes, are greater; in Aſia, where all ranks of men are divided againſt us by an opinion both of right and intereſt, and ready to ſtart into a poſture of hoſtility on every occaſion where there is any proſpect of ſucceſs, and in circumſtances ſo full of alarm, why ſhould Mr. Haſtings deem it incredible that the Princeſſes of Oude ſhould join the general conſpiracy of the world againſt Great Britain, or ſeek for theories by which he might reconcile hoſtile appearances with benevolent intentions? Is not our government over the natives of India, whatever palliatives we may apply or project, in reality deſpotic? Is not the

firſt principle of deſpotiſm, jealouſy of its ſub-jects? Was there no ground of jealouſy, jealouſy heightened beyond the pitch of its uſual vigilance, in the circumſtances in which the Governor General of Bengal was placed towards the cloſe of the year 1781? If there was, is his country, which his ſervices have ſo eminently contributed to ſave, to make no allowance for the force, for the violence with which reports of military preparations muſt have fallen on a mind anxious for the preſervation of all that was committed to the exertion of its powers? On the one hand, it was at leaſt probable that a revolt was begun in the province of Oude as well as in Benares, and more than probable that it was intended: on the other, it was poſſible that the reports concerning the orders and deſigns of the Begums might be falſe. In this dilemma, ye accuſers of Mr. Haſtings, what would ye have done? If his fears ſhould prove to be groundleſs, and that, in ſeizing the reſources of the Begum, he ſhould commit an injury, that injury might afterwards be repaired; but if, on the preſumption that their intentions, notwithſtanding all appearances to the contrary, were pacific, he ſhould forbear to act as he did, the empire of Great Britain in the Eaſt might be loſt.

In our wars with the Houſe of Bourbon, have we not been accuſtomed, on the appearance of hoſtilities on the part of that kingdom, to anticipate an attack by making one? Is this conduct to be condemned? Are the miniſters who followed it with ſucceſs to be impeached, and thoſe who, notwithſtanding the communications from Lord Stormont when ambaſſador at Paris, neglected it to the diſgrace of Britain, to be promoted and honoured? Was not the conduct of Mr. Haſtings exactly in the ſpirit of the great Earl of Chatham? And whether are we to reprobate the memory of the father, or to approve the *legal policy* of the ſon; who, as if he were born to refute the doctrine that the qualities of the mind are hereditary as well as thoſe of the body, condemns in Mr. Haſtings what raiſed his progenitor to immortal honour?

It will not be ſaid that the Earl of Chatham acted improperly, when, being apprehenſive of the deſigns of Spain, by a ſudden blow, he prevented their execution. Yet there was no overt act on the part of the Spaniards, no declaration of intended hoſtilities. What then is the circumſtance, or what the circumſtances of diſcrimination between the two caſes of Lord Chatham and Mr. Haſtings, which juſtify the conduct

duct of the former, and condemn that of the latter? It may be ſaid, that the Bègums of Oude were living under the protection of our friend and ally, or, to ſpeak the truth, that they were in fact our ſubjects: and it alſo may be ſaid, that the danger to which Great Britain was expoſed from Spain, was greater than that which was threatened by the Begums. Beſides theſe, there is no circumſtance of diſtinction between the two caſes of Chatham and Haſtings, which can affect in the ſmalleſt degree the queſtion at iſſue.

Though the Begums of Oude lived under the protection of our ally, and were in fact our ſubjects, they were divided from the Engliſh by all thoſe circumſtances of diverſity which commonly prove the ſources of animoſity and conteſt among nations. Though overborne by ſuperior power, the unconquerable will remained of ſhaking off the Engliſh yoke; and who, reaſoning on the principles of the law of nature, will affirm that they had not a right to ſpurn it, if they could? The very circumſtance of their ſubjection was a reaſon why we ſhould be jealous of their endeavours to overturn it. There were more points of oppoſition between them and the Britiſh nation, than between the Britiſh nation and the Spaniards: and

their minds were at least equally hostile. What is the magic then, in the name of God, of their being our friends, allies, or subjects, that should supersede the propriety of considering what are their real inclinations, and what their power in all situations when vigilance becomes the first duty of a statesman, when jealousy becomes a virtue? The only question is, concerning the different degrees of the dangers which threatened Great Britain from the Spaniards in 1762, and from the Princes of India in 1781. And here an opportunity is presented of displaying the striking contrast between the glorious successes of the English arms in the former period, and the misfortunes which menaced our independence in the latter. But it is superfluous to dwell on so fertile a theme. For who that, dismissing the illusions of the imagination, yields to the conduct of his understanding, does not perceive the absurdity and injustice of applauding the vigour, promptitude, and prevention of the Earl of Chatham in times of national splendour unsullied by a cloud, and condemning the same qualities and a similar course of conduct in Mr Hastings, when condensing storms seemed ready to wreck the state on rocks and shoals, or overwhelm it in the troubled ocean? As to the comparative evidence on which an apprehension of hostilities

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on the part of the Spaniards, and on that of the Begums of Oude, was founded, there was no overt act of hoſtility, which Mr. Pitt declared to be neceſſary, in order to aſcertain hoſtile intentions, that could be charged and proved againſt either. But both had made military preparations, reports in both caſes had prevailed of hoſtile intentions, and in both the circumſtances of the times were ſuch as to render thoſe reports highly credible. The reports in India which Mr. Sheridan treated as vague, fortunately for this country, made that impreſſion on the mind of Mr. Haſtings, which they were naturally fitted to make on a ſound underſtanding and a reſolute mind; and that impreſſion was afterwards juſtified by evidence on oath before the chief Britiſh magiſtrate in India.

But the enemies of Mr. Haſtings obſerve, that this evidence was poſterior to the actions which preſuppoſed them; and they contend that whatever pretenſions Mr. Haſtings may have to penetration, and however fortunate the meaſures he purſued, he did not act towards the Begums on legal evidence, even ſuppoſing the teſtimonies produced to have been unqueſtionable, which they deny. Suppoſe that Mr Haſtings had been placed in ſuch a ſituation as to have over-heard a converſation involving rebellious deſigns, and fixing the

meaſures

meaſures for carrying them into execution, between the Begums and their confidential ſervants, but that he was the only perſon in the world that ever had any reaſon to ſuſpect ſuch deſigns, or to be made acquainted with the meaſures propoſed for effecting them; would he have acted in an unjuſtifiable manner, if he had fruſtrated their intentions by cutting off the means of fulfilling them? Mr. Haſtings, from his knowledge of the country, the people, and the circumſtances of the day and hour, muſt be allowed to have been a better judge of the credit due to the reports that prevailed of the deſigns of the Begums, than any perſon in Great Britain at the preſent moment, at ſo great a diſtance of ſpace and time. It appeared by ſubſequent diſcoveries that he judged rightly. How ridiculous then is it to condemn him for acting according to the dictates of his underſtanding, when theſe were afterwards proved to have been wholly conformable to the truth?

But in order to weaken the evidence that was produced in proof that his convictions concerning the deſigns of the Begums were in fact conformable to the truth, the accuſers of Mr. Haſtings enter at great length into the ſituation of the witneſſes, and the nature of their evidence. The witneſſes, they ſay, were men on whom he had

beſtowed, or on whom he might beſtow favours; or who, from whatever cauſe, were attached to his perſon. There, it muſt be owned, they have a field of objection to all the teſtimony that can be brought in vindication of his conduct: for the ſublimity of his genius had gained an aſcendency over the underſtandings, and the generoſity of his diſpoſition, and the unaſſuming modeſty of his manners, had won the hearts of all whom arrogance and rivality had not rendered blind to his exalted talents and virtues, and indifferent, nay, inimical to the proſperity of their country, if it depended on his exertions, or was connected with his name. It may naturally be ſuppoſed, therefore, that as the Britiſh in India, in general, would be forward to bear teſtimony in favour of the Governor-General, ſo the few who might be otherwiſe diſpoſed, would be willing to avoid a contrary conduct: yet the popularity of any Commander or Chief cannot certainly be urged as a legal objection to evidence in his favour, if that evidence bears no internal marks of falſehood. The facts alledged amount to a clear proof of both rebellious deſigns and actions, and the teſtimonies by which they are ſupported are ſufficient both with regard to numbers and reſpectability. The ſlight difference between the

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teſtimony of Sheikh Mahomed Aumeen Mheir, the ſecond officer in the ſervice of Cheit Sing, and that of Colonel Hannay, and the other Engliſh officers; the firſt, ſuppoſing the troops ſent to the Rajah to have been ſent from Lucnow, the laſt knowing them to have been ſent from Fyzabad, but all agreeing that one thouſand ſwordſmen were ſent by orders of the Begums; the ſlight difference, I ſay, between theſe teſtimonies, diſagreeing in an immaterial circumſtance, but perfectly coinciding in the point for which they were produced, inſtead of invalidating, corroborates their joint evidence, as it is a clear proof that it was not preconcerted. But the grand objection to the vindication of Mr. Haſtings, as written by himſelf, in what Mr. Sheridan calls his firſt and ſecond Defences, is, that the chain of evidence is not brought up from the commandant in the ſervice of Cheit Sing, and from Colonel Hannay and the other Engliſh officers, through every intermediate link, to the Begums iſſuing orders to their eunuchs in the receſſes of the ſeraglio. Who told the Mooriſh Commandant, and the Engliſh officers, that circular letters were written to the Zemindars of Oude, inciting them to rebellion; that rewards were proclaimed for the heads of

English officers, ſoldiers, and ſepoys; and that all this was done in conſequence of orders from the Begums? What Zemindar, Polygar, or Ryot? Specify his name and place of reſidence. Tell us preciſely what he ſaid, and where, and when. If not, we ſhall hold your evidence in favour of Mr. Haſtings as careleſs, vague, irregular, irrelevant, and unſatisfactory. This is their great fortreſs. In this they triumph.

It has been obſerved above, that conſcious rectitude is not curious about the means of ſelf-juſtification, and that exceſſive anxiety about exculpation is not unnaturally conſtrued into a ſymptom of guilt. Or, if the accuſers of the Governor, when they touched on this point, happened to be in a merry vein, what a field, as Mr. Haſtings very juſtly obſerves, for triumph and deriſion would he have afforded to his accuſer, had he exhibited the names of unknown witneſſes atteſted by Cauzees of uncertain exiſtence! Might it not, too, have been very plauſibly alledged, that the Governor General, in the plentitude of his power, was able to extort from individuals what declarations, and from the lawyers of the country whatever atteſtations he pleaſed? Theſe conſiderations are ſufficient

to account for the neglect on the part of Mr. Haftings and his friends to collect and record the names of the witneffes on whofe teftimony prompt meafures were taken for quafhing in good time the defigns of the Begums of Oude. But, left all thefe reafonings fhould prove unfatisfactory, and that the omitting to mention, or the concealment, if they pleafe, of the names of the Zemindars who acquainted the fervants of the Company with the defigns of the Princeffes, fhould fofter injurious fufpicions, Mr. Haftings and his friends, and all who are concerned to inveftigate the truth in this matter, may fafely reft the iffue of the whole caufe on this queftion; Can a fufficient reafon be given why the Englifh officers in the evidence they gave before Sir Elijah Impey, fhould ftudioufly conceal the names of the Zemindars from whom they received intelligence of what was tranfacted and intended in the province of Oude?

There is no perfon, however independent in fortune, that can bear to be fhut out from the fympathy and fociety of his fellow-men. To be frowned on by every countenance, to be regarded with averfion and abhorrence by every eye, is a ftate of mifery and defpair from which there is not an human being who would not willingly take fhelter

ſhelter in the ſilent grave: but he who ſhould have held an eſtate or farm, or any poſſeſſion in the province of Oude, and at the ſame time have appeared in character of an informer againſt the Begums, would have been exiled from the ſociety and the affectionate regards of his fellow-men, and become an object of univerſal hatred and execration. Mr. Sheridan puts the queſtion, Is it natural to ſuppoſe that the Zemindar, or native Hindoo of whatever denomination, ſhould wiſh to have it concealed, that he had done a ſervice to the Prince, his new maſter, and to the victorious and flouriſhing Engliſh? Would he not rather boaſt of his merits, and look for protection and reward? No. Conſtituted like other men, endowed with the common feelings of humanity, there is no reward which he would put in competition with a total excluſion from human ſociety.—A reward of thirty thouſand pounds was offered after the battle of Culloden, 1746, to the man that ſhould deliver up or diſcover the Pretender, who wandered for many months in the Highlands and iſlands of Scotland; yet was there not found a man, among thouſands ſtruggling with poverty and want, who would relieve his ſufferings by the price of blood. The Highlanders are an inoffenſive, humane, and generous

race

face of men; yet it is not to be ſuppoſed that there was not one among ſo great a number who would not have yielded to ſuch a temptation, if he had not dreaded, as worſe than poverty, or any evil from which wealth could ſecure him, the univerſal abhorrence of mankind. In London the reward would have operated on the minds of thouſands, becauſe in the obſcurity of that immenſe capital thouſands of wretches are to be found who can ſkulk from the face of their former acquaintance, and in new alleys and lanes eſcape the condemnation of their infamy. This was not the caſe in the Highlands of Scotland; nor yet in the Zemindaries of Oude. The Zemindar or Ryot who ſhould have diſcovered any fact that might affect the fortune or the dignity of the Begums, if it had been known that he diſcovered it to his neighbours, would have found life inſupportable; while, at the ſame time, various motives may be conceived that might have induced him to court the favour, and even to wiſh for the ſtability of the Engliſh Government. Is it any wonder, then, that the natives or ſubjects of Oude, who communicated intelligence of the rebellion to the Engliſh officers, ſhould deſire that their intelligence might be kept ſecret? Or is it a wonder that Engliſh officers ſhould keep their plighted faith to the Zemindars

dars who committed their future happineſs into their hands? It would ſeem, that no inconſiderable part of the accuſation brought againſt Mr. Haſtings, and thoſe who acted with and under him, is founded on their very virtue.

As the good faith and humanity exerciſed towards the Zemindars and others, who gave intelligence, has been converted into a ſubject of ſuſpicion, ſo alſo has the lenity and forbearance ſhewn to the eunuchs and confidential ſervants of the Begums, after the diſcovery of their treaſures. The treaſures diſcovered, ſays Mr. Sheridan, the eunuchs are ſet at liberty, and all perſecution of their miſtreſſes immediately ceaſes: Does this look like an inquiry into a preconcerted rebellion, or an act of deliberate rapacity? If Mr. Haſtings had continued to preſs down the load of ſuffering, if the eunuchs had been thrown into dungeons, and outrages committed againſt the Begums, ~~a court~~ of inquiſition inſtituted, and evidence invited, or even extorted; then would Mr. Haſtings have eſcaped the imputation of interrupting ſeverities the moment the end was obtained for which they had been applied; but he would have alſo forfeited the praiſe which is due to the magnanimous moderation of his conduct. " Enough had been

" done

" done for the reſtoration of the Nabob's autho-
" rity, and for the ſecurity of the peace of his
" country; enough had been done for an exhibi-
" tion of example." It is unfair to judge of Mr. Haſtings' actions taken ſingly and by themſelves. We ought to view them as they are performed in ſucceſſion, and combined to a ſalutary purpoſe. Mr. Haſtings conſulted at once his own feelings and the ends of his adminiſtration, when, with the meaſures that he judged to be neceſſary for ſupporting the authority of the Nabob, he united reſpect for the ſex and a regard to the neceſſities of the mother and grandmother of our princely ally. And, on the whole, let the world judge, whether ever any Governor, viceroy, or prince, who had ſo difficult a part to act as Mr. Haſtings, mingled greater reſpect to the feelings and rights of human nature, with that ſyſtem of conduct which was neceſſary to maintain the authority of Government. This, this is the grand and deciſive point on which Mr. Haſtings ought to be tried by his country, and on which he will be tried, and juſtified too, if not by his country that reaps the fruits of his faithful ſervices, yet by the common ſenſe and juſtice of all civilized nations, but by none more readily than that enlightened people, whoſe inordinate ambition his meaſures ſo effectually reſtrained.

This did not escape the shrewdness of Mr. Sheridan. It was therefore the consideration of this point, with which he set out in his artful, entertaining, and prolonged oration. Mr. Dempster had put some questions to the witnesses at the bar tending to ascertain that extremity of danger which was threatened by the long arrears due to the army. Mr. Sheridan animadverted on those questions with great rhetorical emotion, and contended that no political necessity whatever can vindicate an act of injustice. On the same and on other subjects Mr. Fox has at different times exclaimed in the House of Commons, *fiat justitia, ruat cœlum*; a maxim which, as a writer of distinguished reputation justly observed, would be an absurd sacrifice of the end to the means. As matters of fact always exist before law, and laws are never so numerous as cases, new conjunctures must sometimes arise, in which it is absolutely necessary to act according to the supreme law of the general advantage. And the purest moralists as well as theologians, have concurred in opinion, that a case may exist in which it is even " expedient that one " man should die for the people." Even the Stoic philosophy, from an enthusiast in which Mr. Fox borrows, and Mr. Sheridan takes the occasional use of that glowing expression

just

juſt quoted, admits that the intereſt and the very life of an individual member may be juſtly ſacrificed on certain emergencies for the good of that body of which he forms a part. Laws ariſe out of the mixed ſtate of human affairs: human affairs, in their preſent ſtage, are not ſquared to the abſtracted nicety of pre-exiſtent laws. Mr. Sheridan and Mr. Fox would not be ſo great *Stoics* as to carry their doctrine into practice, if Providence ſhould place them in a ſituation in which it would be neceſſary for them either to adhere to their maxim, or to ruin, not heaven and earth, but even that narrow ſpot called Great Britain.

Vincit amor patriæ, laudumque immenſa cupido.

Suppoſing therefore, not granting, that there was not ſufficient evidence to convict the Begums either of rebellious actions or deſigns, before an ordinary court of juſtice in ordinary caſes, yet if the ſituation of affairs was ſuch, that either the public ſafety muſt be ruined, or ſome ſacrifice or other made for its preſervation, it was the duty of Mr. Haſtings to make ſuch a ſacriſice: and if there was an option of ſacrifices, it was alſo his duty to fix on that which was the moſt effectual for obtaining its end, and which could be made with the leaſt violation, or appearance of violation, of juſtice. But to reſume the jaghires (an equi-

valent being intended), and to ſeize the treaſures of the Begums, was the moſt effectual ſacrifice that could be made. It was alſo that which could be made with the leaſt violation, or appearance of violation, of juſtice; for there was at leaſt a degree of probable evidence that thoſe Begums entertained hoſtile deſigns againſt the Engliſh, and that they had even begun to carry them into execution: therefore, the meaſures taken by Mr. Haſtings on the emergency in queſtion, were, in all reſpects, the moſt proper that could have been poſſibly imagined. If they were improper, let the Engliſh nation reſtore their treaſures to the Begums.

If in human nature there are qualities by which it is diſtinguiſhed from the animal creation, men are themſelves, in different climates, greatly diverſified: and they not only find in their condition the ſources of variance and diſſention, but they appear to have in their minds the very ſeeds of animoſity, and to embrace the occaſions of mutual oppoſition with alacrity and pleaſure; a conſtitution of nature, which, in the myſterious courſe of Providence, gives room for the exerciſe of the nobleſt virtues. From this diverſity among the different nations there ariſes a diverſity in the modes by which they are governed. One form of government ſuits

one country, and one another. The governments in Aſia are deſpotic, and it is by ſummary proceedings alone, and a ſtrong arm, by which, in their preſent moral condition, they can be governed. To introduce new forms of government into nations, if practicable at all, is the work of time. Attempts were made to introduce liberty into Ruſſia at once, but they proved abortive; and, in like manner, the ſteps that have been taken to introduce the Engliſh law into India have been attended with great confuſion, and been productive of much inconvenience and miſchief. It is found difficult to govern the Hindoos by our laws even in times of profound peace. What then was Mr. Haſtings to do in times of infinite difficulty and danger? In proportion to the embarraſſments of the Engliſh, the ideas and pretenſions of the native princes of India naturally revived. The novelty and the odiouſneſs of our inſtitutions were more ſenſibly felt; the ſanctions by which they were eſtabliſhed were weakened; and all things ſeemed rapidly to revert to that ſituation in which we found India, when, under the pretence of being the treaſurers and tax-gatherers of the Great Mogul, we extended our power over ſo many provinces of Aſia. The Britiſh power in India was only of an artificial

kind,

kind, the whole maſs of numbers and opinion of right being againſt it. If the truth muſt be told, it was purely deſpotic, and depended for its efficacy on the principle of FEAR. Should the preſſure and weight of Government be leſſened, the fire, which was ſmothered only by that weight and preſſure, muſt break out with an exploſion fatal to the oppreſſors. The feeble, the partial, and varying attempts that had been made to eſtabliſh a new order of affairs, had not formed ſuch a ſtrength of Government as could be depended on in a new and unprecedented ſituation, big with danger and final deſtruction. The artificial mounds by which we had ſometimes endeavoured, and might yet propoſe to confine and lead the ſtream of popular opinion, would give way to that ſtorm which was ready to fall, and reſtore all things to their uſual and their deepeſt channel. It is juſtly obſerved by the Roman hiſtorian Salluſt, that dominion is eaſily preſerved by the ſame means through which it was gained. On the occaſion of an extrordinary and alarming conjuncture in India, the Governor-General of Bengal reverted to the principles by which our dominion there had been both acquired and ſupported, and provided for the public ſafety by expedients, which, in times of tranquillity, and in European Governments,

vernments, might be deemed violent and irregular, but which, in the circumſtances in which he was placed, were proper, becauſe they were ſalutary.

If ever a caſe exiſted in which a ruler of a people might aſſume a latitude of conduct ſuitable to political exigences, Mr. Haſtings is juſtifiable in the meaſures in queſtion, by all that can juſtify an extraordinary ſtep in an extraordinary ſituation: rectitude of intention; the wiſe adaption of the means to the end; and complete ſucceſs. The meaſures he purſued were not purſued for his own emolument, (for Mr FRANCIS does not charge him with a ſpirit of private avarice and rapine,) but for the public ſafety. In reſuming the jaghires, and ſeizing the treaſures of the Begums, he conſulted the public tranquillity, and by ſettling on thoſe ſequeſtrated Princeſſes a yearly revenue in money, inſtead of land, he provided for their own. His adminiſtration has been crowned with glorious ſucceſs: nor would a nation ſo generous as the Engliſh have been contented with merely abſtaining from all criminations of ſo amiable a private, and ſo great a public character, if private reſentment, indefatigable labour, and the utmoſt acuteneſs of underſtanding, had not combined to exhibit a malignant and partial view of his

actions

actions in detail, instead of tracing the mutual connections and contemplating the result of the whole.

For of what, my countrymen, is Mr. Hastings accused? Not of snatching the morsel from him that is ready to faint: not of tearing the scanty vestment from shivering limbs: not of extorting by refined torments, like a Cortez or Pizarro, or some of our own nation, whose names the imagination of the reader will readily supply, hoarded treasures for swelling a private fortune; but, at the very worst, for saving an empire by irregular means. Who, henceforth, will nobly dare to break through the restraints that malice and cabal, armed with the chicanery of law, impose on every mind that is more anxious about self-interest than the public prosperity and safety? Shall it henceforth be necessary, for the conduct of our distant concerns, to send out the Judges of Westminster-hall, or his Majesty's Solicitor and Attorney-General? What is to be our situation in Asia, if our affairs are directed in that quarter of the world, not by the towering genius of Warren Hastings, but the creeping caution of Pepper Arden? In the successful, I will add, in the mild measures adopted by the Governor-General, was there ought repugnant to the spirit by which our dominions in India had been uniformly governed?

The

The conditions on which our territorial property in India was transferred to the East-India Company, were indeed plausible, but those conditions were not observed. The king of Delhi granted certain rights to the Company, on condition of their paying that tribute which he was unable to raise from the refractory Nabobs of the Mogul empire. But if he was unable to enforce his demands on the native Princes of India, he was still less able to enforce them on the Company, armed with the troops and the navies of Britain. The Company exacted the tribute from the Princes, but with-held it from the Emperor. They violated their engagements, and pursued a system of rapine. Nor let it be said that these were the acts of the Company only: the British Government were accomplices in their schemes; they defended them by their power, and they shared in the plunder. The East-India fair trade was hardly able to support itself. It was the territorial property, and the private fortunes acquired in India, that made this trade beneficial to the nation at large, and which alone enabled the Company to pay the annual sum stipulated with Government. It cannot be concealed that this was the real ground on which our affairs stood in India, and this the principle on which they were conducted. The

Governor General represented the Genius of Britannia in the East, which was not smiling and soft, but commanding and austere. If to maintain this tone was a crime, it was not the crime of him in whose person it centred, and by whose fidelity to his engagements it was displayed. No, my countrymen, it was not Mr. Hastings that was reduced to the necessity of over-awing by seasonable severities the rebellious designs of the Rajah of Benares and the Begums of Oude, and crushing in the bud a general revolt in India. It was our mismanagement and disasters in the West: it was our love of gain and ambition in the East: it was the combination of the world against us, that obliged the man in whose hands our safety was entrusted, to use the best means in his power for its preservation. It was said of old,

Quod si violandum jus, regnandi causa violandum est.

This maxim was not delivered in defence of cruel and wanton ambition. It imports, that, as political government is the greatest blessing of human society, it is to be preserved and maintained at all adventures. Every political grievance may be remedied by a nation while it possesses the force and spring of legislative authority: but

but when that is loſt, all is loſt. Were the intentions of Great Britain, then, towards the natives of India humane and gracious? The light and temporary diſtreſſes of the Princeſſes of Oude was a cheap price for ſo great a purchaſe: for I aſſume it as a maxim, that, without that ſacrifice, the power of Britain in India muſt have been annihilated. But this would not have happened without a ſtruggle: ſo that the queſtion that Mr. Haſtings had under conſideration was, Whether, when the fortune of Great Britain ſtood trembling on a precipice, and the ſtrongeſt probabilities (if our lawyers impugn the denomination of *legal evidence)* exiſted, that the Begums of Oude had taken the firſt ſteps of revolt, whether he ſhould follow the courſe he in fact purſued; or, by yielding to the inevitable neceſſity of a mutiny, or of diſbanding the army, cut off the hopes of a political reform in India, by cutting off the power of England on which it depended, involve the whole country in anarchy and bloodſhed, expoſe the Engliſh to the revenge of the natives, and render the final diſſolution of our power in the Eaſt as violent and painful, as its firſt commencement was plauſible, and its progreſs proſperous? In ſuch a dilemma, could the rigour of juſtice, could the tenderneſs of mercy, condemn even ſuch an expedient as that which was reſorted to by the

Marquis of Fauquieres in the confederate war, in the reign of queen Ann? The Marquis was sent out, at the head of a party which was to pass in the night through a wood in deep silence, and to perform a service which required equal secrecy and expedition, and on the performance of which the very salvation of the French army depended. Towards the morning, but while it was yet dark, one of the men under his command began to cough violently, and could not by his utmost efforts suppress that irresistible convulsion. The commander sacrificed the life of one man to that of thousands *. The French nation lamented the hard fate of the innocent man; but did not condemn the action of the general. Compare with this deed the conduct of Mr. Hastings in Oude, and the innocence, and even services of the French soldier, with the hostile intentions and preparations of the Begums; and say, if either, which was the most to be condemned?

In a critical and biographical introduction to an history of the reigns of King William and queen Ann, by Mr. Alexander Cunningham, the English Resident at Venice, just published, and which, I trust, will be read and studied by every man who is a friend to the liberty, who

* See Fauquieres' Memoirs.

de-

delights in recollecting the pureſt and moſt glorious times of our republic, and is diſpoſed to watch the many-formed ambition of France: in the Introduction, I ſay, to that hiſtory, there is an anecdote recorded of the great Prince Eugene, which I ſubmit to the conſideration of the accuſers of Mr. Haſtings. At the battle of Malplaquet, while victory yet hung in ſuſpence, a youth of the name of James Campbell (afterwards General Sir James Campbell, of Laurs), at the head of a party of horſe, ſprung forward out of the line, cut through the enemy, and even the Gens d'Armes of France, and through again to the confederate army. This daring action ſtruck a panic in the French, inſpired our men with courage, and decided the fate of the day. Certain officers of our army murmured againſt Campbell, and were ſevere in their cenſures of his conduct. But Eugene, who, as the writer of the Introduction obſerves, conceived that a conjuncture might exiſt wherein the tranſgreſſion of rules might imply the higheſt degree of merit, thanked him for having ſo nobly and ſucceſsfully exceeded his orders, on the day after the battle, at the head of the army. Is the power of France leſs now than it was then? Is her ambition, though better concealed, leſs dangerous? Is the merit

of

of Haſtings leſs than that of Campbell? No! but an Eugene is wanting to proclaim his juſt praiſe in the face of his enemies.

But it was not only India that Mr. Haſtings ſaved to the Britiſh empire. The conqueſts that were made there, by the valour of the Britiſh troops under his government, were exchanged, at the late peace, for other places, which, but for thoſe conqueſts, muſt have remained in the hands of our enemies. Now, Mr. Fox, and others of his party, as Major Scott told them in their teeth without being contradicted, about two months before the peace was concluded, declared in the Houſe of Commons, that without a peace of ſome kind or other this nation was undone. A peace as honourable and advantageous to Great Britain as her ſituation could poſſibly leave room to expect was concluded; and immediately Mr. Fox and his friends, who had ſo often devoted Lord North to the block, unite for the purpoſe of turning the man out of his office, by whom the peace was made. So that both the man who made the peace, and the man who, by the vigour of his adminiſtration in the Eaſt, enabled him to make it, without ſacrificing our Weſt India Iſlands captured by the French, are rewarded, the one with the loſs of office, the other

other with an unprecedented and ridiculous, but vexatious perſecution!---Never ſurely were ſervices ſo ill requited as thoſe of Mr. Haſtings to this country. In private life he was the friend, and patron, and bountiful aſſiſtant of thouſands, devolved by their friends on fortune and on his goodneſs. In his public character he ſaved India by the gentleſt ſacrifice that was ever yet made by prince or ruler in circumſtances ſo full of alarm and danger: yet this is the man of whom Mr. Burke ſays, that "it is indecent that "he ſhould be permitted to go about at large, "enjoying the common benefits of liberty, freſh "air, and ſocial life."

As I introduced theſe obſervations on the charges brought againſt Mr. Haſtings by his enemies, and on the arguments by which they are ſupported, with a great name, to whoſe character and fortune thoſe of that gentleman bear a ſtriking reſemblance; ſo I ſhall, in like manner, conclude them, by remarking a ſimilarity between his conduct, on his return from India, and that of another great ſpirit, when his fortune and fate were committed to the general opinion and determination of the Engliſh nation. "While "the ſucceſſion was yet unſettled, King William "entered into no intrigues either with the

"electors

" electors or the members of parliament; and " so far was he from forming cabals with the " leaders of parties, that he disdained even to " bestow caresses on those whose assistance might " be useful to him*." Admirals have lost opportunities, Generals have lost armies, and Commanders in Chief auspicious conjunctures and times never to be recalled; but they threw themselves into the scale of opposition, and were loaded with offices and honours. Mr. Hastings, the saviour of the nation, courts not the favour of any party, but looks confidently to the nation for justice. It might have become Administration, as well-wishers to the support of the British Government, to have shewn so much countenance at least to the cause of Mr. Hastings, as to have used their influence, which prevails so much in other matters, in order to obtain a patient hearing to the evidence and arguments urged by Mr. Burgess, Mr. Nicholls, Major Scott, and others.

The little jealousy and cunning of the Minister of the day begin already to be generally suspected, and the motives which directed his voice against Mr. Hastings to be understood. I trust to the generosity of the English nation, that

* Hume's History of England.

the meanneſs of that iniquitous policy will one day be made manifeſt; that it will lay the name with the power of that *cunning youth*, low in the duſt, and ſerve as a foil to diſplay the magnanimous virtue of Mr. Haſtings, concerning whoſe praiſe no tongue or pen that deſcribes the preſent, in any future times, ſhall be ſilent. Were it not that the example of his ill-requited merit may ſtrike its roots too deep into the hearts of other commanders, and that the enemies of our country will triumph over us, I ſhould almoſt rejoice that ſo great, ſo well regulated, and compoſed a mind as that of Mr. Haſtings, has found, like the glorious objects of *antient oſtraciſm*, in the perſecution of his countrymen, the nobleſt theatre of virtue, and the loudeſt trumpet of fame. And yet the vote of the Houſe of Commons on the 8th of February, and particularly that of one man, I cannot reflect on without ſurprize and indignation. I do not wonder that the warm imagination of Mr. Burke is over-heated by ſo long and cloſe an attention to one object. I do not wonder that Mr. Sheridan, though of a diſpoſition naturally honeſt, generous, and noble, ſhould, from political views, act the part ſo wiſely committed to his powers by his political friends: far leſs do I wonder that ev...

he, who in ſuch ſuſpicious circumſtances abandoned the inquiry into the affair of Rumbold, and who had acknowlegded ſo emphatically, that, but for the exertions of Mr. Haſtings, India muſt have been loſt, I do not wonder that he who had no character for conſiſtency to loſe, ſhould ſit ſilent amidſt the criminations againſt the man whom he had praiſed, and ſneak off under the ſhadow of the miniſterial wing to vote againſt him: but I wonder, that Mr. Pitt, who owes his ſtation to the friends and to the perſonal magnanimity of the Governor General, in refuſing to purchaſe his *quietus* by joining a faction againſt him; I wonder that Mr. Pitt, who pretends to ſtand ſolely on the confidence of his countrymen, ſhould ſo meanly and ſo impolitically deſert that great man to whoſe influence and virtue he owes his power, and his country its ſafety. Do you wiſh, young ſtateſman, by ſuch truckling conduct, to gain the good opinion and friendſhip of your opponents? There is a generoſity in the nature of Fox, of North, of Burke, and Sheridan, which will never coaleſce with the cunning of yours. Though the fortune of political war has placed theſe men in the oppoſite lines, their hearts and minds are congenial with thoſe of Haſtings. Are you

you ſo weak, notwithſtanding all that is taught by the law of nature, and even by the ſacred Scriptures, as to plead ſcruples of conſcience? Go then, exchange ſituations with Doctor Prettyman, abandon the government of a great nation, and preſerve the peace of your mind by relinquiſhing your power, not by ſacrificing your friend. But is there not ſomewhat of jealouſy at the bottom of your oppoſition to Mr. Haſtings? The world thinks ſo; and, I believe, your countrymen will ſoon convince you that they do.

The perſecutions carried on againſt great and good men, and the triumphs of the wicked and weak, with which the Engliſh hiſtory, and eſpecially in its lateſt periods, abounds, ſhew how unworthily popular favour may be gained, and how undeſervedly loſt; how quick thoſe tranſitions from one extreme to another, which are incident to popular governments; and with what caution and reſerve we ought to yield our aſſent to the doctrines of the day, or our approbation to the meaſures of the moment, the true motives of which are ſeldom avowed, although plauſible pretexts are eaſily found for recommending them to the multitude, who, from malignity, from a love of innovation and amuſement, and from the very ſociability of their nature,

ture, are eager to catch and ſwell whatever tone happens to be uppermoſt for the time, which originates for the moſt part in private and unjuſtifiable views, and which is circulated at firſt by ſelfiſh induſtry, and at laſt by the tides of ſympathy and currents of popular paſſion. But theſe tides and currents ſooner or later ſubſide, and return by a natural and neceſſary reflux in an oppoſite direction; *ſometimes*, as in the general ſorrow which followed the death of Socrates, even to a point when unavailing repentance manifeſts itſelf in acts of outrage and madneſs. It is not until ſuch tumults are calmed that the characters of men are juſtly eſtimated, and their names duly embalmed in the faithful page of hiſtory.

F I N I S.

LETTERS OF ALBANICUS.

TO THE

PEOPLE OF ENGLAND,

ON THE

PARTIALITY AND INJUSTICE

OF THE

C H A R G E S

BROUGHT AGAINST

WARREN HASTINGS, Esq.

LATE GOVERNOR GENERAL OF BENGAL.

"As far as they carry conviction to any man's underſtanding, my "labours may be of uſe: Beyond the evidence it carries with it, I "adviſe him not to follow any man's interpretation."

LOCKE.

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MDCCLXXXVI.

ADVERTISEMENT.

THE manner in which an attack has been made on Mr. Haſtings is ſuch, that the world can ſcarcely ever enter into the merits of the cauſe. The Politicks, the manners, and even the geography of India are known but to few. The *charges* are numerous and complicated, and the *anſwers* to the charges are, of neceſſity, as numerous and more complicated. It would require a conſiderable time, and a very cloſe attention to the ſubject, to underſtand it ſufficiently

well to discover the false reasoning and the false conclusions in the accusations, or the weight of the facts that are offered in vindication, by the accused.

As this is the case, it is well known that few people ever will be at the trouble to enter fairly into the merits of the cause, and though they may be desirous of doing it, their ardour will stop short of that attentive consideration which is necessary to conviction. Mr. Hastings must certainly suffer in the minds of all who read the first part, but do not go through the whole; nor does there seem to be any way of preventing this but by viewing the affair in a less complicated light, so that the minds of men may be satisfied of the injustice with which he has been treated, without that tedious attention to long

arguments, and without a previous knowledge of the affairs of India.

The attack made by Mr. Burke, and the defence with which it has been followed, are addreſſed to a Court of Juſtice, at leiſure appointed to enter into the particulars; but an addreſs to the common ſenſe of mankind is the only thing that can convince men in general, that Mr. Haſtings is an injured man; and with this intention the following Letters to the People of England are confined to the queſtion, merely ſo far as common ſenſe and common juſtice are concerned. A conſiderable portion of mankind will be of opinion that they were written by an agent, or at the deſire of the perſon whoſe character they are meant to defend. The Writer of the Letters never had even the moſt diſtant connection with Mr. Haſtings,

tings, and writes only his own ideas for the ſake of juſtice; as, however, he knows that the world will never be convinced of this, he begs leave to turn their attention to a parallel caſe.

In this country we conſider it as being one of the moſt valuable privileges which we enjoy, that we are judged by our Peers, and are allowed to employ (to hire for money) advocates who may plead our cauſe. When the moſt deteſtable criminal is brought forth to be tried, he is allowed an impartial Jury, and he is permitted to employ men of the firſt abilities to plead in his defence. Theſe men are paid, yet we glory in this mode of getting juſtice, and we liſten with attention and candour to the *hired* protector of the robber or the aſſaſſin; nor does the man who thus grants his protection to the guilty,

who

who employs his learning and abilities to extenuate the crime, incur thereby disgrace.

Speaking is the mode by which a Jury and a Court may be moſt advantageouſly addreſſed. Writing is the one by which alone we can appeal to a nation; and of the two modes, this laſt is the leaſt liable to exception; here there is none of the falſe glare of eloquence, or the ſympathetick effect that is produced by an addreſs to a crouded Court, which diſarm juſtice and blunt the edge of reaſon. Yet, my countrymen, ſuch is the effect of cuſtom and of prejudice, that this mode, which is the leaſt capable of deceiving you into a wrong concluſion, is deemed the leaſt honourable.

In the ſmall State of Athens, the whole body of the people was appealed to, and in Rome, though the miſtreſs of the world, the Roman citizens when aſſembled in the Forum, liſtened to their orators, and ſometimes to their Emperors in the cauſe of an individual*. And ſome of their orations on the ſide of the accuſed, are deſervedly ranked among the moſt finiſhed of human productions.

Whence does it then ariſe, that a defence in writing is *objected* to, as being ſuppoſed the work of a friend? Is it becauſe he is concealed, and appears not in

* A common foot ſoldier, who had fought for Auguſtus Cæſar, was to be tried for a crime, and he applied to Auguſtus, then Emperor, to defend him, which upon his declining, the ſoldier exclaimed, "That is not fair, it was not thus that I fought your battles.

his own perſon? Surely that cannot be; for that very circumſtance makes his appeal the more fair and juſt, for when men want to be fair and impartial, they chuſe not to be made acquainted with the name or the merits of thoſe who apply. If there is then any way by which men may be addreſſed with impartiality, where neither eloquence nor ſympathy, nor reſpect to the perſon by whom they are addreſſed can operate, it is from the preſs, in an anonymous publication.

TO THE

PEOPLE OF ENGLAND.

LETTER I.

THAT a love of juſtice; and a deſire of inveſtigating the merits of every public cauſe, are prevalent in this country, no perſon can for a moment doubt; of this the zeal with which all ranks of men attach themſelves, either to the one or the other ſide, is an unequivocal proof. Whatever, or whoever, comes before the

Public to be judged, finds always an *intelligent*, and frequently an *impartial* jury. There are, however, a ſet of men, who with leſs candour take upon themſelves the office of Judges in theſe caſes, and preſume, through the medium of the preſs, to inſtruct the Public, and to bias its opinion. Thoſe who range themſelves on the ſide of the defendant, have the more pleaſing, though leſs eaſy taſk.— Abuſe is a weapon that it is not difficult to weild, and the uſe of which is well known to the moſt unprincipled portion of mankind; there does not exiſt, in the mind of man, a more deſtructive talent than that of invidious and looſe inſinuation; nor is there any one that is upon all occaſions ſo ready to aſſaſſinate public characters; on the contrary, there is always a degree of difficulty in defending a cauſe, however good, againſt thoſe attacks

tacks which meet with ſupport from envy or malevolence.

In a public cauſe, when one individual is to be the chief ſufferer, every man muſt feel a wiſh to ſee juſtice done; the good of the Public, and the claims of an individual, both join in demanding our attention.

At this inſtant, my fellow countrymen, ſuch a cauſe is before you; one in which the public good, and the happineſs of an individual are blended into one. To that it is that I preſume now to call your attention; conſcious, that, while I am governed by truth, juſtice, and candour, you will not refuſe my requeſt.

Several years ago, our ears were accuſtomed to hear of the ſplendid tranſ-

actions of Governor Haſtings in our ſettle-ments in India, and even the ſpeeches from the Throne have condeſcended ſometimes to adminiſter to us a degree of comfort from *his ſucceſs in Aſia*, which we could not derive from our own in Europe and America. I only recal to your remembrance a thing, of which you were yourſelves the witneſſes, and I re-queſt you to recollect the *popular applauſe* and the *private opinion*, at the time when the career was yet going on. As the brilliancy of actions is dimmed by time, and tarniſhed by the tongue of ſcandal, we view them now in a different light, and our admiration and applauſe have given place to leſs generous emotions.— As we delight in putting chains on the beautiful animal, with whoſe form, whoſe figure and addreſs, we were charmed and amazed, while ſoaring the air, or ranging at large in the boundleſs deſart.

This is not justice, but it is a principle, a desire connected with the human mind, and with the nature of man; and we can find in all ages instances where it has sacrificed the individual who had saved his country.

Need I to name the Athenians, who banished the only man, whose courage and virtue saved them from destruction? The Romans, who gave ear to accusations against Scipio Africanus, who had driven their most formidable enemy almost from their very gates! The Carthagenians who abandoned Hannibal; or our own forefathers, who saw the illustrious Duke of Marlborough banished the Court in disgrace, after having gained immortal honour to his country! I ask, if I need to bring to your memory those facts, which throw disgraee on the human character;

racter; or after having laid them before you, is it necessary to make a commentary, and to tell ye, that brilliant actions always attract envy, beget enemies, and are often left defenceless?

When the undue warmth of Party shall have died away, the character of Mr Hastings, and his transactions, will be better known. They will be contrasted with the reception which that veteran received in his own country; and they may perhaps furnish one more example of the changeable and ungrateful disposition of the multitude.

I do not believe that you would wish such an event to distinguish the year 1786 from those that have gone before; or, what is worse, to compare your actions with themselves, and to fix upon your

name

name for ever, the character of *inconsistency* or *injustice*. When it shall be recorded, that the same men who passed over, without punishment, or even enquiry, the actions of Generals and of Admirals, who were believed to have betrayed their country in the West, turned with indignation to the champion who had fought their battles in the East, and with violence cried out, IMPEACH! IMPEACH! You cannot be desirous of the character which this would give; and public reputation, as well as private justice, require that you should take care not to deserve it.

As a Member of that community which may acquire honour by its candour, or by the want of it disgrace, I mean to endeavour, to set things in their true light. I mean not to reprobate his accusers; they may mean well, but

be miſtaken. I ſhall confine myſelf to repreſenting facts, and ſeparating them from the unfair concluſions with which they have been cloathed; and when I am found to deviate from what is proper, let me be called to order. By addreſſing the Public, I certainly become anſwerable to it for whatever I may ſay; and I ſhall ſubmit patiently to its criticiſm, provided I am favoured with its attention.

Whatever is human, we expect muſt be imperfect; every thing in the moral, as well as in the phyſical world, is a proof of this. There are, nevertheleſs, things that we term good, and others that we term bad; not that they are entirely either the one or the other, but as one or other predominates moſt. From this it follows, that to judge of any thing with juſtice, we muſt examine all the

parts,

parts, compare them together, and form an opinion of the whole from that general view.

The actions of a man ought to be viewed in this manner, and not separated into different parts, for the purpose of different charges, the good and evil should be brought each into one sum before they are balanced against each other. Honour and Character do not admit of being treated like personal property, because they are not, like it, *divisible*; you cannot *impeach* and honour the *same person*, the one necessarily implies the impossibility of the other; though in matters of property, you may charge a man with a sum that he has lost, and pay him for what he has gained; and you may repeat the same a thousand times, without bringing out a wrong balance at last.

The cafe, as I before affirmed, is totally different in matters of character; there, there is but one thing to gain or to lofe, and it muft be done *once for all.*—You cannot vote twenty impeachments, or even cenfures, upon a man's conduct, and balance it by twenty, or by twenty millions of laurels. The man who receives the one, is by that rendered incapable of receiving the other, his honour is ftained, and mankind are not poffeffed of any powers by which it can be reftored.

A man may have many different traits, but he can only have *one* character; the more it partakes of the failings of the human mind, the more virtues will be neceffary to overbalance them, and the lefs brilliant will the character be; but ftill it muft preponderate one way or the

other,

other, as it cannot be both *good* and *bad*; there muſt be a ſort of commutation take place, and after that an opinion formed of the whole.

When Cæſar ſaid, *like a ſick girl*, "*Give me ſome drink, Titinius!*" Cæſar might be ſaid to be a chicken-hearted man; but his more memorable ſpeech, when he paſſed the Rubicon, entitles him to another appellation. When Cæſar forgot his ambition and himſelf in the arms of an Egyptian Queen, he acted the enervated and fooliſh lover: but when he ſubdued the Gauls and the Britons; when he ſubdued his country; when he enſlaved the world, he was every thing that was oppoſite to the character which he might have obtained from his conduct with his Royal Miſtreſs. Though Cæſar's life exhibited theſe oppoſite ex-

tremes, yet there is not any man who has in the world's eye a more consistent and unique character; he is as justly, as he is universally reckoned, the most ambitious of mankind, and his love affair only appears like a small spot on the disk of the Sun; yet there have been few men who would have shewn themselves so dead to every spark of ambition, as to have put the whole world in the balance, and risqued more than twenty kingdoms for one Queen. It would be in vain to say, the world has mistaken the character of that very great man; and it is unnecessary to prove that it judges truly; but it is proper to remark, that without balancing his different traits of character against each other, it could not have been established; you would form a group of contradictions that existed in the man, but not in his character. Ambitious, brave,

brave, indefatigable, and generous, were the leading traits by which he diſtinguiſhed himſelf while he lived, and he preſerves them ſtill, though he was in ſome caſes childiſh, impatient, love-ſick, and, it is even ſaid, chicken-hearted: yet to draw his character by theſe oppoſite extremes, would never do; one or other muſt predominate, and the world has agreed for ſeventeen hundred years in one opinion, reſpecting this phenomenon of a man. There are many points, on which it has not agreed ſo well, that are conſidered by a large portion of mankind as indiſputable.

In this view then of the matter, I am utterly at a loſs to conceive the intention of grounding a great number of impeachments againſt one man, as if he had ſo many characters to loſe; which, by debating

bating ſeparately on his charges, they in fact do. What can the world do to Mr. Haſtings, but take away his character, rob him of the glory to which he is entitled by his ſucceſs in India, and ſubſtitute diſgrace? This can be done but once. There is ſomething heavy indeed, in the ſound of ſo great a number of charges of high crimes and miſdemeanors; but that there may be juſtice, they ought all to be debated *in one charge*, and balanced with whatever ſervices he had done his country.—This I will maintain is neceſſary. This, however, has not been the caſe with the accuſers of Mr. Haſtings, they have not choſen to take this mode of proceeding, but inſtead of viewing all his actions in India, good and bad, contraſted, they have ſeparated them with induſtry, and ſelected the moſt unfavourable for the purpoſe of bringing *different* accuſations.

If

If by theſe means he could be impeached, it would not be upon a fair footing, it would be partial and unjuſt. I maintain that it is not the ſeparate parts, but the whole taken together of a man's conduct, that are impeachable, and that if you are to ſeparate the different parts in this manner, there is not a man alive who could eſcape; or if there is, it would be the contemptible character that never elevates itſelf to a ſufficient degree of conſequence, to have the power of deviating ſufficiently far from propriety.

Upon this footing, however, do his accuſers proceed againſt Mr. Haſtings; they have ſeized upon a piece of teſſelated pavement, of which the general effect was good; they have tore up the darker parts, and they have inſiſted that the whole was black, that it was ugly, and that it ought to be deſtroyed.

It may be ſaid, perhaps, in anſwer to this, that I do not underſtand the mode of proceeding in Mr. Haſtings' caſe; that though there are many charges, it will only amount *to one impeachment.* I ſhould be glad to know whether any body can think, that a trial will reſcue or reſtore the honour of a Gentleman, after the Houſe of Commons has debated upon ſeparate accuſations, and determined them to be high crimes and miſdemeanors*. As far as honour goes, that is an *impeachment* to all intents and

* There is at this time a *noble* Admiral, who has been making a journey through other countries, to avoid the diſgrace in his own, that aroſe from a *patched up trial.* The Genuine Court Plaiſter was applied to the wound, but all would not do, even a Coronet, and the *artificial* title of *Honourable*, prefixed to his name, at the time when people had firſt begun to ſuſpect that he wanted the *real title*, were found unequal to the producing a perfect cure. One inſtance is as good as a whole lack.

and purposes; and as it is grounded upon a partial examination of his conduct, I say it is unfair, cruel, and unjust; that the House of Commons is taking away what they cannot restore; nay, what all mankind cannot restore; for a sentence of crimination, after the merits are debated fully on both sides, is a stain that nothing can remove; and there is no justice in this country, *if in trying the crime they inflict the punishment.* It is the torture and the rack, the accused is ruined, every bone is broken during the trial; after which, an acquittal or a condemnation are alike indifferent; they are become empty sounds, signifying nothing.

ALBANICUS.

London, 26*th July*, 1786.

LETTER II.

IN my laſt letter I endeavoured to prove that a number of ſeparate accuſations, grounded upon different actions, and making different charges, are unfair in their principle, when brought againſt a ſervant of the Public; I muſt intreat your indulgence upon this ſame ſubject a little longer, as it is a matter of particular importance.

There is at this time a man, who I believe is univerſally reſpected, at leaſt as much ſo as any man can expect to be among his cotemporaries; a man, who, in the capacity of a Judge, has drawn the

admiration

admiration and eſteem of a whole age, and of a whole nation, by the rectitude and juſtice of his decrees, yet there are caſes in which he is known to have acted wrong; nay, there are particular points in which he is believed not to preſerve his uſual juſtice and impartiality, yet would it be highly improper, that he ſhould be accuſed and impeached on that account; the nation would never agree to condemn the man they are accuſtomed to revere, as being one of the moſt juſt, for they know that all men are more or leſs imperfect.

Whenever a ſuperior court reverſes the ſentence that has been pronounced by an inferior one, it is underſtood, that the former ſentence was unjuſt. Take this in its full meaning, and you may certainly, if you follow Mr. Burke's mode,

conclude that if in the caſe of A and B, the court has judged wrong; that the property which belonged in reality to A, has been given to B; that to give one man's property to another is certainly againſt the laws of this country, and that it was therefore a *high crime* and *miſdemeanor*.— This is regular argument; juſt as much ſo as any of Mr. Burke's, but it is not fair for all that. It is not only very unfair, but it is perfectly inconſiſtent with the nature of men, and with the very inſtitution of Judges, and of different Courts—certainly *a high crime and miſdemeanor* in court, incapacitates, or ought to incapacitate a Judge, he ought to be diſgraced, beſides being ſtripped of his office. But what would this do? Few Judges, except in the higheſt Court itſelf, would keep their ſeat a week; they would be turned out with diſgrace, and become vagrants,

vagrants, without character or without employment, being guilty of *high crimes and misdemeanors*. This would all happen through purity of principles applied by a strict course of reasoning from causes to effects, and would bring about a fine effect at last; the robes of the Judges would all be converted into beggars cloaks, and justice would fill the streets with its mendicant administrators. Is it worth while to examine into the fallacy of a conclusion that is so *fairly* brought about, but that ends in such ridicule? Certainly it does not deserve an investigation from any merit that it possesses, but as Mr. Hastings is accused by the same sort of logical reasoning, it may, on that account, be proper to examine it for a moment.

In the first place, though the higher Court is in the eye of the law right, and

the lower one muſt have been wrong; yet, in reality, it is uncertain which is right, and which is wrong; they are only *two imperfect* things ſet to check each other.

In the ſecond place, if the lower Court were proved to be wrong, yet, there is no certainty that it was ſo wilfully; it is to be ſuppoſed not, as the inſtitution of a ſuperior Court implied the previous belief that the inferior one was not always to be right, ſo that at the worſt it was but incapacity in the lower Court. And, in the third place, the incapacity or miſtake in one inſtance, is no proof that the Court is not capable, in general, to judge properly enough, therefore it turns out at laſt to be nothing more than one of thoſe imperfections of which every human inſtitution partakes more or leſs,

and

and it was not only a thing to be expected, but was certain to take place sometime or other: So that we shall again see the Judges sitting upon the Bench and doing business as well as they are able, though they are sometimes wrong.

I think from this we are not always to affix a punishment to whatever is wrong, and that accusations that are partial ought to be listened to with great caution least they be unjust.

I am sure that arguments or intreaties are unnecessary to induce you to give attention to the cause of the injured; never are you blind to justice, nor deaf to mercy.

I certainly intend to prove, that the case of Mr. Hastings is in every respect equally

equally hard with that of the Judges whom we ſaw juſt now turned into the ſtreets becauſe they were *men*, which is another word for being *imperfect*.

It may be alledged that Mr. Haſtings is accuſed, article by article, at his own deſire, and that he refuſed to ſhrink from an inveſtigation, or to let his merits compenſate for his faults, that therefore he not only gets juſtice, but the very juſtice that he demands, and in his own way too.

He certainly gets it as much, but not a grain more than that man indulges himſelf, who jumps out of a ſhip that is burning, into the ſea, but who cannot after all be ſaid to have had exactly what he wanted, though it was the deſperate alternative which he choſe.

The caſe in which Mr. Haſtings found himſelf involved juſt at the time when he returned to his native country, after a very long ſervice in India, during which he had ſeen many men that were far his inferiors in rank, in importance, and in abilities, return with greater fortunes than himſelf, and what is of ſtill more importance, at a much earlier period of life. I ſay, juſt at the time when he returned inferior in wealth, and worſe in conſtitution than many others, after having been of infinitely more ſervice than any one of them, he found his character called in queſtion openly in the Houſe of Commons, from which accuſations were circulated with additional authority, and received with additional avidity through the whole kingdom.

No circumſtance can raiſe him higher in the opinions of men, than to find that

of ſhrinking from an inveſtigation he ſtood forth boldly in demanding, either that his enemies would ſpecify their charges, or be ſilent; his honour was concerned, and he was reſolved that either one or other ſhould be done. The abuſe which he had ſuſtained was of too flagrant a nature, and too open to be retracted, and the honour of the accuſer demanded that he ſhould prove what he had advanced. Thus did an accuſation begin, and a volume has been written to the aſtoniſhment of the Public, in which Mr. Haſtings was accuſed of more high crimes and miſdemeanors than were any way neceſſary; but having once begun, it was as eaſy, and, perhaps, more agreeable to go on than to ſtop, and a very ſhort period ſaw more than twenty heavy charges rear their heads in terrible ſhew.

Mr.

Mr. Haſtings had an alternative, but it was of little conſequence, and he choſe, like a man who confided in the goodneſs of his own cauſe, that each article ſhould be ſeparately examined as they were ſeparately charged. Mr. Haſtings, by wiſhing to meet the charges ſeparately, did the very thing that any innocent and honourable man would have done, yet does it not follow that the charges were properly made. All that could, with any propriety, have been queſtioned reſpecting him was, *whether, when in India, he had acted faithfully as a Governor intruſted with the intereſts of the India Company and of the Engliſh nation.* This would have been proper enough, perhaps it was unneceſſary, but at any rate it would not have been unfair; it would have included his *whole tranſactions*, good and bad, and if in an enquiry conducted upon that equi-

table footing his character had been likely to ſuffer, I ſhould not have appeared, as I now do, a volunteer in his defence; but, as it is, every man who has any idea of juſtice, and who can feel for thoſe who are injured, muſt conſider his caſe as being very unmeritedly hard and oppreſſive, for the mode of trial is of itſelf a puniſhment, as the accuſations convey an idea of crimes of the higheſt order, and it is generally underſtood that an impeachment is like a trial for life and death. I ſpeak of the general ideas of mankind on the ſubject; they conſider an impeachment as being like an accuſation for a capital crime, which, whenever it unluckily happens to an innocent man, is of itſelf a very ſevere puniſhment; but for a great variety of reaſons is it particularly ſevere, and if I may be allowed to ſay ſo, *unfair* in the

caſe

caſe of Mr. Haſtings, as ſome of the charges appear marked with an enormity that almoſt chills the blood. The charge of extirpating the nation of the Rohillas, for inſtance, is one of this ſort; here we are led to believe that Mr. Haſtings entered into an agreement to aſſiſt in exterminating all the men, women, and children of a country; by it we underſtand nothing leſs than that every human creature upon the face of the ground was either to be killed, driven away, or carried off. This is as mild a meaning as it will bear, yet it is infinitely different from the real thing. "The "Rohillas were not the people of the "country, but a military tribe, who "conquered it, and quartered themſelves "upon it without following any profeſ- "ſion but that of arms, or mixing in "any relation with the native inhabi-

"tants

" tans*;" and this barbarous extirpation confifted in obliging thefe people, who ruled by force over nine times their own number, to repafs the Ganges and return to their own country. This in reality and in appearance wears fo different an afpect, that it may be declared to be a mifreprefentation; inftead of being the very decided, and the very high crime that at firft it appeared, to a great portion of mankind it may feem to be an act of juftice; to another it may feem doubtful in

* Major Hanny's account of the people in queftion is this, " I have learned from many people that it is only within fifty years that the Rohillas have become mafters of the country on the north of the Ganges; that they were originally Afghans, came into Hindoftan under a Sirdar, named Daood Cawn, and that they conquered that country from the Hindoos, and that fince that time they have followed no other profeffion but that of arms, and the ancient Hindoos have cultivated the country. The Rohillas are Muffulmen of the fect of Omer, and the cultivators of the country are Hindoos. I fuppofe the proportion to be about nine Hindoos to one Muffulman."

what claſs it ought to be placed; by ſome it may be reckoned unfair, but by none will it ever be underſtood as *extirpating* a whole nation. It is, however, peculiarly unlucky that the heavy charge may be read in a few ſeconds, as it is compriſed in a few lines, but the vindication requires longer time, and more attention. This exhibits a ſpecimen of Mr. Burke's mode of *fabricating* charges, and certainly, when examined, gives no very favourable idea of his own candour, but we muſt judge of him with greater liberality than he does of Mr. Haſtings; in ſhort, we muſt make allowance on account of the other parts of his character, and we ſhall find, that his lively and brilliant fancy has led his judgment out of the road; it has painted evils in India that never exiſted, and has, as the continued operation of fancy ever does, taken away the faculty of thinking with impar-

impartiality on the ſubject where it is exerted. Mr. Burke is only viewing the worſt ſide of man's character, and his own is at ſtake in the crimination of Mr. Haſtings, and it is ſingularly unfortunate that his abilities, the brilliancy of his fancy, and his eloquence are ſuch, that whatever comes, either from his tongue or his pen, no matter which, it comes with a double degree of force, and drawn by the hand of an eminent maſter. Every natural and artificial circumſtance is unfavourable to Mr. Haſtings; his accuſation is carried on by a very able party, which has contrived to heap the crimes of a *whole Government* upon his head, and all things conſidered, candour muſt allow, that he muſt have acted very well indeed to be able to anſwer every one of the charges diſtinctly, which he has done, and as he has ſpent his life in

in the ſervice of his country, as he is proſecuted unjuſtly, and perhaps to have what is moſt dear, his reputation, taken away, he has a right to expect, nay, to demand the attention of his countrymen to his vindication.

LETTER III.

WERE it truly to be proved, that Mr. Haſtings has been guilty of the high crimes and miſdemeanors of which he is accuſed, ſtill his accuſers will be to blame in not having proceeded againſt him in a fair and candid manner*: but ſuppoſing he ſhould be found to be in a great degree innocent, how unfair muſt it not then be?

* It is according to the true ſpirit of juſtice and of Engliſh law, that every man muſt be proceeded againſt equally fairly, however henious the crime he is accuſed of may be; and even though men are conſcious, in their own minds, that he is guilty, unleſs it is proved poſitively, it alters not, in any reſpect, the caſe. If a murderer is hanged, without being properly convicted, it is MURDER, and againſt law.

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I intended, in an after part, to ſhew, that many other of the charges brought againſt him are equally miſrepreſentations with that of the extirpation of the Rohillas, that is to ſay, that they are *diametrically oppoſite in point of fact, to what they are in the ſignification and meaning of the words*; but at preſent I intend to prove, that they have been urged in the moſt unfair manner poſſible; and, I muſt confeſs, that here, I think, Mr. Burke has not acted with his uſual candour: he knows human nature too well to have done it through miſtake; he knows that all men are imperfect, and that every error does not ariſe from a criminal motive. In this caſe, his anger ſeems to have ſuſpended his reaſon and his juſtice, as upon another occaſion, his ſurpriſe, for a time, ſuſpended his indignation (ſee Mr. Burke's ſpeech, page 69, 1ſt December, 1783.) Conſider well,

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my countrymen, for it concerns you all, whether it is not very unfair to attribute as a fault, every aƈtion, which at the end of ten years may be diſcovered not to have been the beſt or the wiſeſt poſſible, and that too when the aƈtor was concerned in affairs of a moſt difficult nature. If we allow this, what impeachments upon impeachments are there not room for in the tranſaƈtions of the laſt ten years in this country. Where is the public charaƈter that would not be called in queſtion, or the individual who would not blame himſelf?——How many evils occur through ill concerted, or ill executed ſchemes, even in the common affairs of life, and where the will, where the intention to do well cannot at all be queſtioned. Do not men ruin themſelves and their families, frequently, with the beſt intentions; and are not many men reduced from the

pinnacle of fortune, to the lowest wretchedness, who have their mistakes to lament, but who cannot accuse their intentions with the least share in their misfortunes? We not only all have seen, but we have all, in a greater or lesser degree, felt this to be true, and our minds are well acquainted with the distinction between a *mistake*, and an *intended crime*; for, by the former of these names have we distinguished the errors of the head, and by the latter, the errors of the heart. Thus have they been hitherto distinguished; but what does Mr. Burke say? Here I must pause a little; I am going to tell you a thing, which scarcely bears the appearance of being true, and I am considering whether I dare venture to do it. He calls these mistakes, high crimes and misdemeanors; yes, my countrymen, you need not be amazed, they

are

are all high crimes and misdemeanors!!! What a pity, that Mr. Hastings, who has so able, so comprehensive a head, should have so black a heart; he is, perhaps, the only Governor, that the world ever saw, who *never was mistaken*; he is the reverse of other men; we have frequently found men who were faultless in their intentions, but never one who was perfect in his understanding: Mr. Hastings is the first man who has shewn us what it is to be perfect in his understanding; and unluckily, he is, also, the first man to whom we have not one good motive of action to assign.

Such, from the nature of Mr. Burke's charges, is the character of Mr. Hastings to be accounted; and we are not to suppose, that the difficulty or impossibility of knowing what it was best to do,

had

had any ſhare whatever in the meaſures he purſ ed. If he made a treaty that was not a good one, it was a crime; if he afterwards, through neceſſity, ſet aſide a bad treaty, it was another*. A poet ſaid, that he remembered when he was a young man every thing was wrong he did not know. Now it ſeems, that wherever Mr. Burke was not acqnainted with the circumſtances that immediately occaſioned any piece of ill luck or misfortune, or even of good look, he attributed it to the baſeneſs of Mr. Haſtings's heart; did any negociation appear ſtrange and

* Mr. Burke ſeems to be ſomething like the man in the ſtory, who turned every thing he touched into a cuſtard, his hat, his coat, his wig, his wife and all became cuſtards. Every thing becomes, under Mr. Burke's hands, a crime of the firſt order and the higheſt rank. This puerile ſtory would not have been alluded to, had not a *certain* Member of a Great Houſe quoted *Little Red Riding Hood*, and brought little tales into faſhion.

the

the intention not evident at this diſtance of time and of place, it went down to the ſame account, Mr. Haſtings's heart; and from this black ſource was every motive derived, that either fancy or ingenuity could trace; whether it was the extirpation of a whole nation, or the converſing with men in their own language without an interpreter, it became a crime of the deepeſt die, and all the crimes were equally deep, for they were all as deep as poſſible.

There ſeems ſo great an inconſiſtency in this, and if I may be allowed to ſay ſo, it appears ſo impoſſible that Mr. Burke could be ſo unfair, that to gain ſome belief, I think it neceſſary to explain to you how I imagine it has happened; and were I but here bleſſed with a ſmall ſpark of Mr. Burke's imagination, and his fa-

culty-

culty of tracing hidden caufes, I fhould probably fucceed.

The attention of Mr. Burke has, for feveral years, been turned to the tranfactions in India, and the affairs of the Company; his fpeech, on the 1ft of December, 1783, in favour of that famous bill, which terminated, for that time, in the ruin of his party, fhewed how much he had ftudied the fubject, and with what an accumulation of horror he viewed the tranfactions there. In that fpeech, defervedly famous, both on account of its great merit, and the importance of the fubject, Mr. Burke was attacking the *nature and conftitution* of the *India Company*, he was proving that it was innately bad, and had occafioned a conftant fcene of oppreffion and of injuftice, and what was more,

that without altering the nature of its rights, it could never be otherwise.

Speaking of the Company that day, Mr. Burke ſays, " With regard, therefore, to " the abuſe of the fœderal truſt, I en-" gage myſelf to you to make good theſe " three poſitions: 1ſt. I ſay, that from " Mount Imaus, where it touches us in " the latitude of twenty-nine, to Cape " Comorin in the latitude of eight, there " is not a *ſingle* Prince, State, or Poten-" tate, great or ſmall, in India, with " whom they have come into con-" tact, whom they have not ſold. I " ſay *ſold*, though ſometimes they have " not been able to deliver, according to " bargain. Secondly, I ſay, there is not " a *ſingle treaty* they have not broken. " Thirdly, I ſay, there is not a ſingle " Prince or State, who ever put any

" truſt

" truſt in the Company, who is not
" utterly ruined, and that none are in any
" degree ſecure or flouriſhing, but in the
" exact proportion to their ſettled diſ-
" truſt, and irreconcileable enmity to
" this nation. Theſe aſſertions are uni-
" verſal; I ſay, in the full ſenſe *univer-*
" *ſal*; they regard the external and po-
" litical truſt only; but I ſhall produce
" others, fully equivalent in the internal."
Here Mr. Burke, with all his powers, declares the *India Company* to be in the fault, and of what then does he accuſe Mr. Haſtings?—Why he would impeach Mr. Haſtings for being a ſervant of the Company, but for nothing elſe, *for all the miſchiefs originated with the Company*; and he ſays, " there is nothing
" worſe in the boys we ſend to India than
" in the boys whom we are whipping at
" ſchool, or that we ſee trailing a pike,

" or bending over a deſk at home." Thus doubly does Mr. Burke argue his cauſe; he proves where the evil lays, and where it does not lay, and if what he ſays is true, you might juſt as well remove all the boys from Weſtminſter School to the Bar of the Houſe of Commons and impeach them every one; for it does not require much depth of reaſon to perceive the truth of this, that if the boys in India (are no worſe than thoſe at home) the boys at home muſt be *as bad* as the boys in India, and equally deſerve impeachment.

Mr. Burke, certainly, among others, diſcovered great grievances in India, and attributed them, with propriety, to the conſtitution of the Government there. His humanity, of which he certainly has a conſiderable ſhare, made him feel for the

oppreſſion

oppreſſion and injuſtice into which he was enquiring, and his warmth of imagination ſeems to have led him to a degree of enthuſiaſm, which indeed it would be unfair to condemn. In the courſe of this inveſtigation, after having laid all the faults on the Company, he again divided them among the ſervants of the Company, though in this he acted with great inconſiſtency; and when Mr. Haſtings was ſingled out, becauſe he was Governor, by a very happy knack Mr. Burke loads him with the iniquities of them all. This is a ſpecimen of the facility with which Mr. Burke turns the whole of his force to the part where he means to inflict the wound, while at the ſame time it ſeems to be ſome account for the miſrepreſentations againſt Mr. Haſtings. This ought to be a leſſon to us to receive with caution the charges which he has

produced,

produced, and it is impoſſible to look up to Mr. Burke with the ſame reſpect, when he is the accuſer of a man who, according to his own account, was but one *agent among many, for a Company conſtituted and exiſting upon ſuch principles as did not admit of his being an upright man*: I ſay it is impoſſible to look at Mr. Burke with the ſame reſpect in this caſe, as we did when he was ſtruggling to ſecure the *rice in his pot to every man in India*; and it is a juſt cauſe of aſtoniſhment to perceive that his eagerneſs in the one caſe, is equal to his noble exertion in the other: we muſt with equal aſtoniſhment and regret, perceive the orator, who with almoſt unexampled eloquence, ſupported the cauſe of *millions of the moſt diligent, and not the leaſt intelligent tillers of the earth*, now turning the accuſer of a man, whoſe ambition it is to paſs in quiet the remains of a conſtitution

tion and of a life which have been devoted to the ſervice of his country; but when we conſider, that by his main argument, in this latter caſe, he invalidates his former reaſoning that he now attributes devaſtations to the *individual*, which he had before proved were occaſioned by the *Government*, and which were connected with its very nature; aſtoniſhment and regret are changed into a very diſagreeable uncertainty, and we are led to ſuſpect the purity of the motives as well as the juſtice of the arguments.

When Mr. Burke's charges were firſt brought into public view, I muſt declare, that I read ſeveral parts of them, not without horror, though the futility of ſome appeared at firſt ſight; the ſituation in which the different parties, the accuſer and the accuſed appeared, formed a con-

traſt

traſt very unfavourable to the latter; Mr. Burke appeared the avenger of the wrongs of the Indians, from the Prince upon the throne, to the beggar on the dunghill; but when it appeared plainly, from a farther attention to the ſubject, that the faults of a very imperfect Government were for the ſake of vengeance heaped upon the head of one man, it altered the caſe; and when, as it moſt notoriouſly does, appeared, that mutilated facts were produced, and unfair conſtructions invented, I ſay, *invented*, for the facts did not point to the conſtructions, it altered the caſe ſtill more; and when I found, that Mr. Haſtings, who was accuſed of every ſort of almoſt ſavage cruelty, had written in one of theſe very caſes, in the following humane manner, I conceived the whole to be a fabrication, and it appears from

from every part moſt notoriouſly to be one, the letter is as follows:

Extract of a Letter from the Preſident to Mr. Nathaniel Middleton, 27th May, 1774.

"Colonel Champion complains of the
" conduct of the Vizier, in ſuffering,
" and even in ordering his troops to ra-
" vage the country, and in his cruel
" treatment of the family of Hafez Rah-
" mut. This is a ſubject on which I
" cannot write to the Vizier; it might
" widen the breach between him and the
" Commander in Chief, and poſſibly in-
" fluence the Nabob to ſome private re-
" venge on the unhappy remains of
" Hafez Rahmut's family; I deſire, there-
" fore, that you will take an immediate
" occaſion to remonſtrate to him againſt

" every act of cruelty, or wanton vio-
" lence: the country is his, and the
" people his subjects; they claim by that
" relation, his tenderest regard, and un-
" remitted protection. The family of
" Hafez have never injured him, but
" have a claim to his protection in default
" of that of which he has deprived them.
" Tell him, that the English manners are
" abhorrent of every species of inhuma-
" nity and oppression, and enjoin the
" gentlest treatment of a vanquished ene-
" my; require and intreat his observance
" of this principle towards the family of
" of Hafez; tell him my instructions to
" you generally, but urgingly enforce
" the same maxim; and that there is no
" part of his conduct will operate so pow-
" erfully in winning the hearts of the
" English, as instances of benevolence
" and feeling for others. If these argu-

" ments

" ments do not prevail, you may inform
" him directly, that you have my orders
" to insist upon proper treatment of the
" family of Hafez Rahmut, since, in
" our alliance with him, the reputation
" of our national character is involved in
" every act which subjects his own to
" reproach: that I shall publickly excul-
" pate this Government from the impu-
" tation of assenting to such a proposal,
" and I shall reserve it as an objection to
" any future engagements with him,
" when the present service shall have
" been accomplished."

Who, after reading his letter, wrote with such an eagerness to bring succour to the oppressed family of Hafez Rahmut, can believe, that the author was either cruel or unjust? Through the whole, mixed with a regard for the character and

 interests

intereſts of the Company, breathes the moſt ardent deſire to afford relief to the oppreſſed. The manner of the letter is well worth obſerving, it is quite the language of a man very intent upon the purpoſe about which he wrote; and I muſt own, that with me the matter ſeems to warrant this concluſion, that the writer muſt have been a good man;——yet this is one of the caſes in which he is accuſed of oppreſſion and injuſtice.

LETTER IV.

IT requires not any great knowledge of the ways of men to ſee that the Governor of a large country like India, under circumſtances ſuch as Mr. Haſtings was, muſt be directed in many caſes by his own private opinion, rather than by that of the Supreme Council, and much rather than by that of the Directors in Leadenhall-ſtreet. A Government ill eſtabliſhed over a conquered country, where the revolutions are ſuddenly brought about, does leaſt of all admit of inſtructions received from the moſt diſtant part of the world, even ſuppoſing the judgment of thoſe who directed it to be perfectly equal to the taſk.

The coalitions and changes that take place in this eſtabliſhed and free country, are too rapid to admit of ſuch a direction as that; and we muſt all know that tho' a coward and a knave may ſhelter himſelf under the orders he has received, yet that honeſt and bold agent of a Company muſt in unforeſeen or in difficult caſes, act to the *beſt of his own judgment.*

In the empire of China, when a fire catches a houſe it may not be extinguiſhed without the orders of a Mandarin, and when pulling down a ſingle board might ſave a whole ſtreet from the flames, it muſt not be done without official leave given: this may be rule and order, it may be ſubordination, but is it common ſenſe? is it the way to extinguiſh the fire? There is a degree of abſurdity in the idea, that a Governor of India muſt not act without, or even ſometimes con-

trary

trary to inſtructions received from England, that makes it ſcarcely admit of a ſerious refutation, and it is by no means fair to expect that afterwards he is to be able to give a diſtinct reaſon for every thing he did. The more diſcerning and able a man he is, the leſs account will he be able to give, for two reaſons; firſt, he will have truſted to his own *judgment at the time*, and the more acute the judgment is, the more complicated will be the reaſons from which it acts; and ſecond, he will, from a conſciouſneſs of his own intentions and ability, not think of preparing for a defence; his mind will dwell upon ſucceeding in the affair, and he will truſt his character to the goodneſs of his cauſe. A ſign-poſt painter can tell the rules by which he works moſt exactly, both in dimenſions and in colouring, becauſe he is incapable of working at all but by ſome rule. Apelles moſt undoubtedly

could

could *not* give the rule by which he laid on his tints, or by which he produced a ſymmetry that delighted and aſtoniſhed all mankind, for he moſt aſſuredly had no rule. And in general it is well known, that even in the works of the common mechanic (with a few exceptions) the beſt workmen pay the leaſt ſtrict regard to rule.

I am far from contending that Mr. Haſtings, or any man in any department, is to ſet the ſuperior powers at defiance; far from it indeed, but then I do not conſider every deviation from their orders as a defiance.

The India Company is a commercial body, and all their affairs, however great the ſcale may be, are for the purpoſe of getting money, nothing ſuperior to that,

and I believe I may therefore, without impropriety, compare their affairs with thoſe of people in a ſmaller ſcale, whoſe purpoſe is the ſame.

There are numbers of merchants in London who ſend out agents to travel the country and tranſact buſineſs. They have inſtructions from the principal before they ſet off, and write occaſionally from different places; they are anſwerable for what they do during their journey. It is underſtood by both parties, that the time and exertion of this agent are ſold to his employer as much as that of any clerk in his counting-houſe, and that he is to follow his orders in the ſame manner. This is the outline, but what alteration do circumſtances make? The clerk at home keeps ſtrict hours, does no buſineſs without the maſter's knowledge, and acts

according to the intended rule exactly, while the other agent unites the general rule with good sense, at least with his own judgment, and does as well as he can; he gives up some advantages to his customers, entertains them at his master's expence, and is entertained in return; he keeps such hours as he finds best, and in short, acts as he would do if he were the principal himself. This is universally practised by all mercantile people in this country, and the success with which it is attended establishes its propriety upon a firmer basis than that of any man's opinion; yet this liberty, allowed by every man in trade to his agent, Mr. Burke, in a case where it is more necessary, if possible, denies to a Governor of India, and chuses out particular cases in which he accuses Mr. Hastings. Nothing can be more unjust, nor nothing ever was more

unjust

unjuſt, except when the Romans accuſed Scipio Africanus of reading Greek, if that can be called ſo bad. It would have been as well, perhaps, if the Roman General had let the ſtudy of that elegant language alone: but it would not have been ſo well if Mr. Haſting's had quarrelled with Sir Eyre Coote about a ſalary which he had very little chance ever to enjoy, particularly as Sir Eyre Coote merited it, and the refuſing it was an act of injuſtice to a very deſerving, and to a dying man*.

* Mr. Haſtings, among other things, is accuſed of paying a large annual ſum claimed by Sir Eyre Coote, but which the Directors forbid to be paid. Mr. Haſtings did not pay it, it was paid by a Nabob Vizier, and General Coote continued to receive it; he was at that time on a very important ſervice, and dying faſt. Mr. Haſtings did not interfere actively in the affair at all, but did not chuſe to quarrel with a General in time of war, about a ſalary which he could not poſſibly long enjoy.

I certainly do not mean to extend my defence of Mr. Haſtings ſo far as to ſay, that he *did not do ſome wrong things in India*; if I did, I ſhould be ſaying what I do not believe, nor need I be informed of any thing more, than that he is *a man*, to know that he muſt ſometimes have judged wrong, ſometimes had his mind biaſed by prejudice in favour of men, and ſometimes by anger againſt them. All this I think muſt have been the caſe, for he certainly *has failings in common with every human being*, *beſides his own peculiar faults**, for which Mr. Burke certainly does not conſider him as deſerving impeachment.

When we conſider the great object that Mr. Haſtings had before his eyes,

* See Mr. Fox's character of *himſelf* in his ſpeech on India affairs, 1ſt December, 1783, page 50.

we

we cannot wonder that ſome parts of his Government were neglected, and that ſome grievances might exiſt which he did not redreſs. We never yet ſaw any man whoſe abilities were omnipreſent, nay more, we never yet ſaw the man who could attend to great things and to ſmall equally well, and what is ſtill more yet, we never ſaw, and I may venture to ſay, we never ſhall ſee any caſe in which the good of the whole and of all the parts is capable of being always united. The farmer who blamed the Creator of all things for not ſending the weather that might render *his* ſoil the moſt fertile, beſides his inſolence in pretending to judge at all, was certainly not conſidering that the general good was the object, and not his in particular, for which if a Superior Being was anſwerable at all, he alone could be queſtioned.

No

No man knows better than Mr. Burke the different effects of a Government composed of many people, or of Councils and the Government of one man. Each has its peculiar defects, and though the Government which is the most free in its principles is certainly the best; though it is better that people should be governed by a number of men than by one; by a Parliament of their own chusing, than by a King, whose great grand father was chosen by their great grand fathers, merely, perhaps, for party, or from whim, yet though the one Government is decidedly better than the other, an union of the two, which we find take place at home here, is better than either, and this advantage arises from the absolute necessity that there is for some one person having a right to act in particular cases as he and his own friends may think proper,

without

without the formality and delay of Public Councils; this in ſome degree counteracts the ſlow motions of a Government compoſed of a number of councillors, and the advantages, if not the neceſſity of this, is ſo obvious to men, that the bold councils of the famous Lord Chatham were what procured him the eſteem of the Engliſh nation. The ſame character, which was that of a bold daring Stateſman, reſting his fame, his honour, and his head, merely upon the goodneſs of his intentions and of his meaſures; I ſay, that ſame character made up of great lines which procured him ſtatues, has procured Mr. Haſtings an *impeachment*. I again repeat it, and I will maintain, that there is a great ſimilarity of character, and that from the very parts in which they are alike, the one has obtained a ſtatue, and the other is threatened with a ——

I did

I did not begin this defence of what I deem an injured character, with a design to combat every separate charge, Mr. Hastings has done that himself in a very compleat manner; my intention at no time went any farther than to make an appeal to the good sense and the justice of my countrymen, by shewing on what false ground his accusers had gone, and how unfairly they had during the whole proceeded, and I have stated several of the charges which I should consider as a very clear proof of the want of candour with which he has been accused.

Perhaps I should insist more fully upon these unfair proceedings, and it may be said that I promised in a former letter to meet every charge. I did so, but I only meant that if called upon, I was ready to expose the fallacy of the different charges,

for I begun with the avowed purpoſe of ſpeaking to the caſe in a general and in a brief way, that reaſon might be made the arbiter, without that minute and particular attention which ſo few people can find leiſure or patience to give.

LETTER V.

PERHAPS it demands an apology, that after appealing to the *justice* and to the *reason* of my countrymen, I should venture to address their *interest* upon the same subject. I must here declare, I do not believe that interest, and the love of money, or the love of sway, are equal in the breast of an Englishman, to the love of equity; I think they are not, and I hope they never will be. I, however, must interest your attention to the subject in a political and an interested view of the matter, for while it is not determined to give up the wealth of Asia for consci-

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ence ſake, I muſt conſider *that* as an object of no ſmall importance.

The friends of Mr. Haſtings have ſaid, that upon the iſſue of his cauſe depends our future affairs in India. That was a ſtrong aſſertion, and I own I do not believe it to be wholly right. I think that it is poſſible that even Mr. Haſtings meets with ill treatment, ſuch as he does *not* deſerve, yet there may be men found who will ſerve the ingrateful multitude who puniſhed him. I think, indeed, that miſchief will be heaped upon the devoted Indians that day that Mr. Haſtings is impeached. Men who prefer gold to honour, and who do not object to filling a poſt when diſgrace attends good actions, will certainly be from nature and from circumſtances compleatly venal.

They will probably behave ſo ill as either to procure a total alteration, or they will ruin the Company, ſo that I think there is ſtill one chanee.

The ſtate in which the India Company now is, has become a very critical and a very intereſting one, and every day it becomes more and more ſo; it draws very faſt to ſome great point, further than which it never can proceed.

When the Engliſh Eaſt India Company was firſt incorporated, and for long after, it was not an object of much envy to the reſt of Europe; thoſe nations which watch over the motions of this kingdom, had naturally turned their attention and envy to the monopoly which we had obtained of the trade of the weſtern world; Britain, in itſelf invulnerable, was only to

be

be wounded in this remote extremity, and to it did all Europe look, either with anger or ſuſpence. Our natural enemies determined to diſſolve a connection to which they vainly attributed the greatneſs of this country, and even our friends with-held their aſſiſtance. The event you all know; it was not poſſible to retain poſſeſſion of America, and to combat Europe at the ſame inſtant, and we had no occaſion to be aſtoniſhed at our want of ſucceſs, particularly as we had been at great pains to make the Americans our enemies before the war began. We thought a Britiſh Act of Parliament could do any thing, whereas, when imprudently made, it is the moſt uſeleſs piece of paper in the world.

After the child, as it was metaphorically called, was ſeparated from the parent

rent, it was expected that the former was to flourish, and the latter to decay; neither of the two have, however, happened. We are yet formidable, we are rich, we are enviable, and we are envied. The only possession that we have left, that is worth while to cut each others throats about, is our territory in the East Indies. The nations of Europe have turned round from the West to the East, and begin to perceive that there is some hope yet, and a measure which seems very wise in itself, may probably make them redouble their attention, either directly or indirectly; the other nations of Europe tasted the sweets of our commerce to India, but now they shall taste no more. Our India Company rises, and theirs sink apace; this truth is notorious to all the world, and it is absolutely impossible that the nations that suffer will bear it long. The

feat

ſeat and the object of war will be tranſferred from the uncultivated fields in America, to the fertile and the rich plains of Aſia, when the time comes that the enemies of Britain are ready for another attack.

There is in general little credit to be gained by any prediction, but that does not take away the neceſſity or propriety of looking as attentively as we can into our future affairs.

Paſt experience has ſhewn, that there are nations in Europe placed as if on purpoſe to keep the Britiſh empire within bounds, and to check our ſucceſs, and wherever it has been apprehended we were moſt vulnerable, there have we been wounded. The preſent ſituation of affairs is not ſuch as to give us any occaſion

to think that this syſtem is changed, and if it is not, we muſt expect the next war, like all the others, will be directed at the part in which it is not only the moſt eaſy to attack, but where alſo it is likely to hurt us the moſt. The ſettlements in queſtion in India are that very part.

When a poſſeſſion held by force happens to be large, and numerouſly inhabited, it becomes eaſy to attack, under the pretence of liberating it from ſlavery, and the difficulty of retaining it increaſes in the ſame proportion. Our poſſeſſions in India are ſufficiently large, numerous and diſaffected, to produce this effect in a very conſiderable degree. They are our richeſt poſſeſſions, therefore the moſt deſireable to take, and the moſt hurtful for us to loſe. The French with the aſſiſt-

ance of their friends the Dutch, will be both able and willing to undertake this, and if they behave with common prudence, they may eaſily get the inhabitants on their ſide; to increaſe, if poſſible, the natural deſire of theſe nations to humble Britain, and to direct their views to India, the great extenſion of our Company at this very time, and the want of it in their own, do moſt certainly tend, ſo that we have reaſon to apprehend danger there.

Should we by puniſhing Mr. Haſtings in the manner Mr. Burke propoſes, upon a partial view of his actions, eſtabliſh the precedent of throwing diſgrace upon men who have acted to the beſt of their judgment, we certainly take away at once that energy and exertion which only live by applauſe and eſteem, and which are

so necessary in India. The men who serve them will quote the orders of the Directors for their actions, and under the shade of order and propriety will they see ruin precipitated. Honour will be out of the question, disgrace will henceforth be attached to the Government, and it will therefore of necessity (I say of necessity, for it is as natural and necessary as it is possible for any thing to be) become the object of men who prefer gain to reputation, and gold to a good name. How inferior that class of men is to those who seek for fame and honour, every child knows. To be an executioner is reckoned the most disgraceful office, but it is not the least gainful. Yet there is a difficulty of finding men sufficiently dead to the opinion of others to accept of this office, even among the most debased of mankind. In every rank in society the *respectability*

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is either a part of the *reward*, or the want of it a part of the thing for which men are paid. Many a reſpectable man ſtarves as a curate on twenty pounds a year, who would not for twenty thouſand become a bailiff's follower, or any profeſſion to which there is a degree of diſgrace attached. What but a regard for honour ſupports the ſoldier in his campaign upon a bare ſubſiſtance? The world cannot produce an inſtance, where there is any number of men retained in a *diſgraceful ſervice* at ſo low a rate. I fairly then conclude, that honour is a ſpecies of pay more efficacious than money, and that it is the aim of the good and the virtuous. That money alone attracts a very inferior and a very different ſet of men.

There are degrees and proportions in every thing. Mr. Haſtings aimed at

fame

fame and at honours, and he got them; but ſhould it be found that they are wreſted from him, or turned to diſgrace, honour will no longer be ſought for in that ſtation, and another and a much inferior ſet of men will fill thoſe places which require probity, honour, and humanity.

Whether we conſider the unfitneſs of ſuch men to repel our enemies, to govern our ſubjects, or to manage our commercial affairs, we muſt look upon the change with ſome degree of concern, viewing it merely in a prudent light. We cannot certainly do what may lead to ſuch an important alteration without conſidering well what we are about, yet if we ſuffer ſuch an accuſation to be fabricated, as that againſt Mr. Haſtings, if we give ear to it, we muſt expect the change will take place; for ſuppoſing the thing granted,

granted, that men are to have every part of their conduct called in queſtion, and wherever they cannot well and clearly vindicate themſelves before a body of men *who do not underſtand the affair*, they are to be ranked with the vileſt of oppreſſors, no man can take the charge of affairs in India with any other expectation than that of encountering diſgrace.

So far as honour or diſgrace are uſed as rewards or puniſhments, they require a very different management, and one that is much more ſkilful than any other ſpecies of rewards or puiſhments; they are of all others capable of producing, under certain circumſtances, the moſt powerful effects. There are few characters, and thoſe few are bad, whom the love of fame, of glory, or the good opinion of men, does not overbalance the love

love of gain*, and it will lead to the moſt extravagant actions; the love of money is a cold, prudent, beggarly and weak paſſion in compariſon, it is circumſpect, and leaves men on all great occaſions. Thoſe men who bow down to the god of riches never gain the laurels of the hero; and on the contrary, fear of ſhame deters men from acts of villainy more than fear of actual phyſical puniſhment. It is of great conſequence, therefore, to preſerve in all caſes the *ability* of uſing theſe two moſt powerful of all engines; they are however incapable of frequent uſe, as they become intirely ineffectual. The ſoldier who has been publickly diſgraced, ſometimes in-

* There are many people who ſeem however to be quite deſtitute of this paſſion for the eſteem of men. It is becauſe they have no hopes of acquiring it. Men are never miſers while they have no expactation of geting rich.

deed

deed exerts himſelf to regain his honour, but much oftener has it a contrary effect, and he becomes worſe inſtead of better. A repetition of diſgrace, by effectually ſhutting up the road to glory, opens wide the path of infamy, and leads to whatever is bad. The fear of incurring the firſt diſgrace is the great engine, and the oppoſite effect produced by too much uſe of the puniſhment, requires it to be adminiſtered with great judgment. We run a riſque by our treatment of Mr. Haſtings, of ruining the proſpects of all future Governors; every man who ſucceeds to that important ſtation after him, muſt want attachment to the ſervice, becauſe he may be impeached for doing what he thought beſt. He muſt conſider it as ſo very difficult a thing to eſcape cenſure, that he will lay his account with it, and then the miſeries of India will be compleat,

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while our expulſion may be looked for as certain, from the nature of things, and deſireable for the ſake of putting a period to a ſyſtem which will be diſgraceful to human nature.

Had Mr. Haſtings known what was to have been his fate when he firſt entered into the important, the difficult, and the dangerous poſt of Governor in India, he might have ſecured the ſmiles of fortune, and defied the breath of ſlander. He might have implicitly obeyed the orders of the Directors, and he might have, by throwing the whole of the actions either upon them or upon the Council in India, become *a Governor without reſponſibility*; he might have loſt our poſſeſſions there indeed, but then he might have done it according to his directions, and to every charge that was made againſt him he might

might have given that anſwer. It would have prevented a poſſibility of impeachment, nor would it have been in the power of any ſingle Member of the Houſe of Commons, to threaten a man who had betrayed his country and his employers *methodically*. Future Governors, whoſe experience of the paſt has learnt them a leſſon of prudence, and of ſelfiſhneſs, may take this method; though I ſuppoſe, had Mr. Haſtings known the whole, he would either have governed as he did, or not at all. He probably prefers the ſatiſfaction of having *his actions approved by Warren Haſtings* to any other whatever, and ſo far he is out of the reach of his moſt malignant enemy.

Without truſting altogether to reaſoning on this point, it is a fact, that when almoſt the whole world was divided into

Roman provinces, and while the Governors aimed at rank and honour by that poſt, they were remarkably juſt and good; but when through the faults and rapacity of a few, the honour of the whole begun to be ſuſpected, it ſoon ceaſed altogether to exiſt, and the provinces, once happy under noble patricians, who were examples of Roman virtue and diſtributers of Roman juſtice, then groaned under the tyranny, the taxes and other illegal extortions of the bankrupt and profligate.

This was the change actually produced by the ſubſtitution of *diſgrace, inſtead of honour*, and the bad turn being once given, human power was unequal to a means of preventing the increaſing depravity; it went on till that great empire, which had extended ſo far and wide, fell in pieces like a ragged garment through its own weakneſs.

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This is a great and ſtriking example, the truth of which no man can deny, and it happened merely from the nature of things. The Roman Emperors themſelves never encouraged oppreſſion in Governors, but generally wiſhed rather to puniſh it ſeverely; and in proportion as puniſhments increaſed, the oppreſſion increaſed in a double degree.

We ſhould conſider very well what we wiſh, what is the object in impeaching Mr. Haſtings, and whether it will anſwer the purpoſe which is intended; this is of more importance than any other thing, in the prudent and wiſe view of the queſtion.

There are two objects that may be poſſibly in view by this tranſaction: Firſt, the puniſhing a man who has not acted

properly, when confidered merely as an act of juftice. Second, the effect that punifhment may have as an example to future Governors, in their treatment of the people of the country; their obedience to the Court of Directors, and their regard to the interefts of the Company.

With regard to the firft of thefe, the punifhing a man who has acted improperly, a great deal has already been faid. We have feen that the accufations have not been fairly brought againft him. As the accufer of an enemy, Mr. Burke was perhaps excufable in only relating the worft, and putting the moft unfavourable of poffible conftructions on his actions, but as the inveftigator of truth he was certainly wrong; I repeat it, certainly and decidedly wrong. When a man ac-

cuſes another of a *diſtinct poſitive crime*, ſuch as murder or theft, where there is no opinion but a firm belief, he has only to ſubſtantiate his charge, and let the other party diſprove it. But when *from a number of circumſtances he is to enquire into a fact*, for the purpoſe of forming an opinion, it is only common juſtice to look at all the circumſtances. Mr. Burke gives at great length the things on which he founded his opinion, but there does not any thing appear which gives us reaſon to think that he examined to find out whether he might not be under a miſtake, by looking only at the parts that ſeemed to him *againſt* Mr. Haſtings. He gives always a decided opinion from the view of one ſide which he had taken. In the eye of the law, of juſtice, and of common ſenſe, in caſes that only admit of circumſtantial evi-

dence,

dence, every man who does not judge from all he knows, and who is not willing to enquire into both ſides of the queſtion, is a partial and unfair man.

Mr. Burke ſeems to have forgot a very material diſtinction that there is between a man who performs his duty improperly, and a man who commits an actual crime, in a caſe where he has no obligation at all to interfere. Men who murder or ſteal are of this latter ſpecies; they take away life and property with which they have poſitively no concern. Phyſicians, who happen to apply wrong remedies, and kill their patients, either through want of ſkill or through neglect; agents or confidential ſervants, who injure their maſters property by careleſſneſs or miſtake, are of the former claſs. There are probably more lives loſt by the want of ſkill of

phyſicians

physicians, or by their neglect, than by murderers; and there is certainly an hundred times more property or wealth, or what you please to call it, lost by the neglect of servants, than by actual theft. The physical effects are equally bad, loss of life and property in both cases. Every one knows, however, the difference of criminality; they have no resemblance either in nature or in extent. The assassin who gave the blow, and the physician who gave the poison, acted under different circumstances: it was the physician's duty to do something, and he did what he thought best, according to his capacity and attention to the subject; it was, on the contrary, the assassin's duty to have abstained from what he did; the one supposed he was doing right, and the other knew he was doing wrong. It is fair to accuse the assassin or the thief positively

positively, and let him clear himſelf; he can probably do it, if he is innocent, for he is to be judged from facts. Were the phyſician or agent to be called in queſtion for acting wrong in their ſeparate profeſſions, it would not be by an *accuſation* but an *enquiry*; their criminality could not conſiſt in the act, but the intention of the act, which could only be diſcovered from all the circuſtances well compared, both for and againſt. With regard to the aſſaſſin and thief, the *intention* is not the thing, it is the *act which ſhews intention* and admits of being clearly charged at once. Every body muſt perceive, that however blameable Mr. Haſtings may be, he ſtill is in the circumſtances of the phyſician or the agent. What he did was done in the *capacity of his office*. Mr. Burke has proceeded againſt him, however, as an

aſſaſſin

aſſaſſin, having no buſineſs at all with India, but as entering and committing depredations in a wanton and voluntary manner. This alone makes the tranſaction the moſt unfair in its principle poſſible. I do not believe any man can produce an inſtance more unfair that ever took place in the way of accuſation. Conſider to what it leads, and then pronounce. Suppoſe all men entruſted with the health of others might be queſtioned, who but deſperadoes would accept the truſt. Murder is a high crime and miſdemeanor;——a phyſician is proved in a fever to have given opium, when a jury of medical men think antimony would have ſaved the life, and that the opium killed;—muſt we hang the phyſician?—We might in that caſe ſay with Macheath, " The world would be thined, ſuch numbers would ſwing upon Tyburn-tree.

No Man who valued his life would be a phyſician in that caſe, nor will any man who values his character govern in India in this. All law is at an end, if you proceed in matters of *opinion* as in matters of *fact*; yet Mr. Burke does, and Mr. Burke is a man of ſenſe, of honour and of virtue. Mr. Burke has never fixed his eye upon one extenuating circumſtance, but he has painted thoſe of a dark complexion in the blackeſt manner.

Nothing, in ſhort, can more clearly ſhew the intention than theſe charges do; they bear upon their face the deſire of blackening a man's character in every poſſible inſtance; there is not a ſingle ſentence from which we are warranted to draw the concluſion, that Mr. Burke meant to examine candidly, that he wiſhed to know whether there was any

thing

thing that might in ſome degree clear a man accuſed of ſo many crimes. Had Mr. Burke in any inſtance put a good conſtruction on Mr. Haſtings' actions, had he in any caſe doubted that he meant well, had he in any caſe added a ſingle extenuating fact, by way of making people judge fairly, he might have ſome claim to candour, but as it is he has none. I repeat it, that in this caſe, he has no claim to one grain of candour; it is even to be queſtioned whether the partial ſtatements and unfair concluſions do not deſerve a harſher name than that of want of candour.

It may not now be improper, in a curſory manner, to view the whole of the proceedings againſt Mr. Haſtings. In the firſt place, the ſituation in which he ſtands, repreſented as *the oppreſſor of thirty millions of the moſt harmleſs people in*

Aſia; and Mr. Burke as the *avenger of the wrongs of an injured and a helpleſs multitude*, is very unfavourable to Mr. Haſtings. I ſhould be ſorry to ſee the day when this contraſt was not ſufficient to influence the minds of Engliſhmen, and I ſhould execrate myſelf were I capable of ſtanding a moment in defence of ſuch injuſtice.

We certainly, from the circumſtances, are all on Mr. Burke's ſide. It is the ſide on which I found myſelf at firſt; nor did I alter till I found that Mr. Burke had either proved nothing at all, or that he had proved, that the conſtitution of the India Company, which Mr. Haſtings ſerved, was the cauſe of every evil*. He had accuſed Mr. Haſtings of breaking treaties, after he

* It is ſurprizing this inconſiſtency did not occur to Mr. Burke himſelf, it is ſo very glaring and ſo abſurd.

had proved the India Company had never made a treaty that they had not broke, and that it was not the men who went to India that were at all to blame. If a pilot is ordered to ſea in a ſhip which is rotten and full of holes, is the ſinking of the ſhip to be laid to his charge?

Were I to ſtand up for the oppreſſors of India, there is no evil which I ſhould not deſerve to endure; I at firſt looked upon Mr. Haſtings as ſuch, and I curſed his name. I looked on Mr. Burke as their avenger, and I revered him. But the woes of the people of India are not the thing in queſtion. I am convinced that the greateſt injury we can do to them is by diſgracing Mr. Haſtings. I am convinced the moment that is done, there remains no object to be attained by governing India but money. Money balanced againſt diſgrace. But independent of the poor in-

habitants

habitants of India, Mr. Burke's charges aimed in a perſonal manner, in direct oppoſition to the opinion which he avowed on the 1ſt of December 1783, and therefore the reverence for the cauſe of India has nothing to do with this queſtion: Mr. Burke himſelf exculpated Mr. Haſtings when he accuſed the Company, and the very nature of the conſtitution of the Company.

With regard to individual juſtice, this proſecution is from *that* the fartheſt poſſible. Partial ſtatements and unfair concluſions are in all caſes improper. If a man is innocent, they are diabolical; if he is guilty, they are uſeleſs. The precedent that may be ſet by the puniſhment of Mr. Haſtings, if good, might be ſome excuſe for an unfair tranſaction, but even that is wanting; there cannot be any good derived either to England, to the Company;

pany, or to the inhabitants of Aſia: nor, in conſidering the whole, is there one good purpoſe that it is ever likely to ſerve; we can expect nothing from it, but that India will be worſe governed in future, that there will be more extortion, more cruelty, leſs faith with the Company, and leſs exertion in caſes of war and danger.

In ſhort, whatever is dear to us in India is at ſtake, and under the idea of juſtice and regard to the lives and properties of the natives of Aſia, we are going to give them up, by this one action, to the dominion of men who will have no object but that of riches, and who are dead to the opinions of men, and of conſequence to virtue.

Once more, my countrymen, let me intreat you to conſider the importance of this

this caſe, to uſe your reaſon and your diſcernment; you will then perceive that an individual is accuſed under the moſt deceitful idea poſſible; his accuſer has affected to eſpouſe the cauſe of virtue and of the oppreſſed; he has collected the cries of the Indians, which, he ſays, were given to the ſeas and the winds, and for the ſake of private vengeance, he has heaped them on an individual head, under the name of puniſhing the guilty; he has fabricated charges in a manner that does not accord with equity; he has contradicted his own principles, avowed in a national ſenate; and he has made uſe of every mode which his eloquence, his fancy, and his argument can furniſh, to make you believe that his cauſe is that of thirty millions of your fellow creatures. Could he advance a ſtronger claim to attention? Does not every human vir-

tue.

tue ſecond his requeſt? Ought not the man to be heard who acts in ſo good a cauſe, who pleads at once for juſtice and humanity? Yet, my countrymen, it is no ſuch thing, the very number of the charges are a proof of this; the manner in which he has gone to work is a proof the of this; and the end that he propoſes is very oppoſite of what he leads us to expect. There is much at ſtake, and our paſſions are attacked by involving the cauſe of one man with that of thirty millions; we muſt ſeparate them; they are indeed connected, but by a very different bond from that repreſented to us, for on the fate of Mr. Haſtings depends the future government, and the future happineſs of our poſſeſſions in India.

ALBANICUS.

FINIS.